

Office as chief deputy Attorney General for State counsel. In this role, she manages 250 attorneys and oversees more than 8,000 active cases, including prosecution and defense actions in State and Federal court on behalf of State officials, the State legislature, and State agencies. Nearly the entirety of Ms. Merchant's practice has involved litigation and the vast majority of her experience has been in Federal court. She is a seasoned litigator whose expertise will be an asset to the Eastern District of New York. The American Bar Association has rated Ms. Merchant as "qualified," and she has the strong support of Senators SCHUMER and GILLIBRAND.

I will be supporting her nomination, and I urge my colleagues to do so as well.

Mr. KENNEDY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HEINRICH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HEINRICH. Mr. President, I ask unanimous consent that the vote begin immediately.

The PRESIDING OFFICER. Without objection, it is so ordered.

VOTE ON MERCHANT NOMINATION

The question is, Will the Senate advise and consent to the Merchant nomination?

Mr. HEINRICH. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

The result was announced—yeas 51, nays 48, as follows:

[Rollcall Vote No. 107 Ex.]

YEAS—51

Baldwin	Heinrich	Reed
Bennet	Hickenlooper	Rosen
Blumenthal	Hirono	Sanders
Booker	Kaine	Schatz
Brown	Kelly	Schumer
Cantwell	King	Shaheen
Cardin	Klobuchar	Sinema
Carper	Lujan	Smith
Casey	Manchin	Stabenow
Coons	Markey	Tester
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murphy	Warnock
Fetterman	Murray	Warren
Gillibrand	Ossoff	Welch
Graham	Padilla	Whitehouse
Hassan	Peters	Wyden

NAYS—48

Barrasso	Cassidy	Daines
Blackburn	Collins	Ernst
Boozman	Cornyn	Fischer
Braun	Cotton	Grassley
Britt	Cramer	Hagerty
Budd	Crapo	Hawley
Capito	Cruz	Hoeben

Hyde-Smith	Mullin	Scott (FL)
Johnson	Murkowski	Scott (SC)
Kennedy	Paul	Sullivan
Lankford	Ricketts	Thune
Lee	Risch	Tillis
Lummis	Romney	Tuberville
Marshall	Rounds	Vance
McConnell	Rubio	Wicker
Moran	Schmitt	Young

NOT VOTING—1

Feinstein

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is and laid upon the table, and the President will be immediately notified of the Senate's action.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 127, Wesley L. Hsu, of California, to be United States District Judge for the Central District of California.

Charles E. Schumer, Richard J. Durbin, Brian Schatz, John W. Hickenlooper, Margaret Wood Hassan, Gary C. Peters, Mark Kelly, Jack Reed, Tammy Duckworth, Christopher Murphy, Sheldon Whitehouse, Catherine Cortez Masto, Mazie Hirono, Benjamin L. Cardin, Jeanne Shaheen, Tammy Baldwin, Angus S. King, Jr., Alex Padilla, Robert Menendez, Michael F. Bennet.

The PRESIDING OFFICER. By unanimous consent the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Wesley L. Hsu, of California, to be United States District Judge for the Central District of California, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

The yeas and nays resulted—yeas 54, nays 45, as follows:

[Rollcall Vote No. 108 Ex.]

YEAS—54

Baldwin	Hassan	Padilla
Bennet	Heinrich	Peters
Blumenthal	Hickenlooper	Reed
Booker	Hirono	Rosen
Brown	Kaine	Sanders
Cantwell	Kelly	Schatz
Cardin	King	Schumer
Carper	Klobuchar	Shaheen
Casey	Lujan	Sinema
Collins	Manchin	Smith
Coons	Markey	Stabenow
Cortez Masto	Menendez	Tester
Duckworth	Merkley	Tillis
Durbin	Murkowski	Van Hollen
Fetterman	Murphy	
Gillibrand	Murray	
Graham	Ossoff	

Warner	Warren	Whitehouse
Warnock	Welch	Wyden

NAYS—45

Barrasso	Fischer	Paul
Blackburn	Grassley	Ricketts
Boozman	Hagerty	Risch
Braun	Hawley	Romney
Britt	Hoeben	Rounds
Budd	Hyde-Smith	Rubio
Capito	Johnson	Schmitt
Cassidy	Kennedy	Scott (FL)
Cornyn	Lankford	Scott (SC)
Cotton	Lee	Sullivan
Cramer	Lummis	Thune
Crapo	Marshall	Tuberville
Cruz	McConnell	Vance
Daines	Moran	Wicker
Ernst	Mullin	Young

NOT VOTING—1

Feinstein

(Mr. KAINE assumed the Chair.)

(Mr. HICKENLOOPER assumed the Chair.)

The PRESIDING OFFICER (Ms. CORTEZ MASTO). On this vote, the yeas are 54, the nays are 45.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Wesley L. Hsu, of California, to be United States District Judge for the Central District of California.

LEGISLATIVE SESSION

DISAPPROVING THE RULE SUBMITTED BY THE DEPARTMENT OF COMMERCE RELATING TO "PROCEDURES COVERING SUSPENSION OF LIQUIDATION, DUTIES AND ESTIMATED DUTIES IN ACCORD WITH PRESIDENTIAL PROCLAMATION 10414"

PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, OF THE RULE SUBMITTED BY THE UNITED STATES FISH AND WILDLIFE SERVICE RELATING TO "ENDANGERED AND THREATENED WILDLIFE AND PLANTS; LESSER PRAIRIE-CHICKEN; THREATENED STATUS WITH SECTION 4(D) RULE FOR THE NORTHERN DISTINCT POPULATION SEGMENT AND ENDANGERED STATUS FOR THE SOUTHERN DISTINCT POPULATION SEGMENT"

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to legislative session.

The Committee on Environment and Public Works is discharged from further consideration of S.J. Res. 9; and the Senate will proceed to the en bloc consideration of H.J. Res. 39, which was received from the House, and S.J. Res. 9, which the clerk will report.

The senior assistant legislative clerk read as follows:

A joint resolution (H.J. Res. 39) disapproving the rule submitted by the Department of Commerce relating to "Procedures Covering Suspension of Liquidation, Duties and Estimated Duties in Accord With Presidential Proclamation 10414".

A joint resolution (S.J. Res. 9) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the United States Fish and Wildlife Service relating to "Endangered and Threatened Wildlife and Plants; Lesser Prairie-Chicken; Threatened Status With Section 4(d) Rule for the Northern Distinct Population Segment and Endangered Status for the Southern Distinct Population Segment".

Thereupon, the committee was discharged from consideration of S.J. Res. 9, and the Senate proceeded to consider the joint resolutions, en bloc.

The PRESIDING OFFICER. The Senator from West Virginia.

PERMITTING REFORM

Mrs. CAPITO. Madam President, I rise today to talk on a subject that is of great importance to me and of great importance to employers, workers, consumers, and—really—everyone across this country; and that is, the need for substantive reform of our country's Federal environmental review and permitting process.

Now, this is a subject I have talked about a lot. I have championed efforts to make sure that our environment and economy benefit from a functional Federal environmental review and permitting process, and I am now and once again leading environmental review and permitting reform efforts through the Environment and Public Works Committee, and I am working with my fellow Republican Senator, who is the ranking member over on Energy and Natural Resources, Senator BARRASSO from Wyoming, and we are working across the aisle with our counterparts.

Permitting reform is much more than just legislative text. It is more than just updates to laws that have been on the books for years or about replacing counterproductive measures implemented by the Biden administration. It is an essential element in giving our Nation what we need to be successful in the future.

Without permitting reform, American energy will continue to be stalled, jeopardizing our security here at home as well as for our allies abroad. Without permitting reform, communities across America will struggle as they are denied access to the good-paying jobs that they need and are capable of doing.

Without permitting reform, America will not build at all. The same country that mined the coal, that made the steel, and that built the democracy and led the way for industry across the world will be held back by endless review processes, continuous and continuing court challenges, and crippling regulations that limit our ability to be the world leader that we know we are.

In my State of West Virginia, which is synonymous with energy generation, we have long seen the negative effects created by a permitting process that is

designed to stall rather than to produce or create. There are multiple real-world examples of how our broken environmental review and permitting process is holding up my State of West Virginia's ability to move forward, and it is impacting multiple sectors important not only to the people of my State but also to our national economy.

In the transportation sector in West Virginia there is Corridor H. Corridor H is a critically important highway that West Virginia needs to help commerce flow and to jump-start the economy in the central part of our State and to encourage our growing tourism industry.

In the manufacturing sector, there is Nucor Steel, an innovative, cutting-edge steel and steel products company that can't, as yet, build their plant as quickly as the Biden administration keeps creating new emissions guidelines.

And, in the energy sector, there is the Mountain Valley Pipeline, a 304-mile-long natural gas pipeline that is on the brink of completion—over 90 percent completed. Yet it is unable to deliver its needed contribution to American energy independence due to the regulatory burdens and endless legal challenges that have gone on longer than the actual construction of the pipeline itself.

These are just three examples in the State of West Virginia. Think about the national impact created by outdated permitting processes, the damage inflicted on our communities and our economy, and the opportunities we are losing because of an administration that champions redtape, feeds frivolous lawsuits, and whose Agencies celebrate delays that lead to the total abandonment of critical—critical—projects.

It just doesn't make sense, quite simply. Even the renewable energy projects and manufacturing efforts central to the Biden administration's Agencies are being held up in permitting purgatory.

President Biden has long pledged that he will build our country back better. Well, news flash, Mr. President. You can't "build back better" if you can't build at all.

The fallout created by a broken environmental review and permitting process further strains our sputtering economy, drives up energy prices for consumers, negates good-paying jobs for hard-working Americans, and, really, jeopardizes our ability to build into the future.

Now, as my constituents in West Virginia would say, well, what are you going to do about it?

Well, from conversations we have already started in the EPW Committee, I will soon be introducing legislation, in tandem with my colleague Senator BARRASSO, that delivers on the environmental review and permitting process reform that our country needs. This legislation will benefit all projects—renewable, conventional, surface transportation, manufacturing, all of the above.

This legislation will mandate enforceable timelines with clear time limits and predictable schedules for environmental review and consequences when Agencies fail to reach these decisions in a timely fashion.

This legislation will fashion guidelines that process and decide legal challenges to projects expeditiously, instead of creating a sea of endless litigation.

The legislation will actually amend the Clean Air Act, the Clean Water Act, and NEPA, and fix the obstacles holding our country back from the prosperity we deserve, while maintaining—of course, maintaining—environmental protections.

I will emphasize, as I have many times in the past, that any tangible, lasting environmental review and permitting solutions must be accomplished through regular order.

Backroom deals will not cut it. In fact, they will only lead to confusion among the American public and buyer's remorse among the participants.

We have forged the blueprint for bipartisan compromise through the EPW Committee time and time again, and this process should be no different.

I encourage my colleagues in both Chambers, on both sides of the aisle, as well as President Biden, to heed the calls from communities across the country on the urgent need for environmental review and permitting reform and to join in our efforts to deliver the modifications that America's employers, workers, and consumers need.

I look forward to the continued debate on environmental review and permitting reform, while always maintaining our shared goal of moving America forward.

With that, I yield the floor, and I see my colleague—who has been very instrumental in all of this, as we worked together with our colleagues—Senator BARRASSO.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Madam President, it is a privilege to join my colleague from West Virginia, Senator CAPITO, on the floor today to talk about legislation that we will be introducing tomorrow.

It is about permitting, and I come to the floor to talk about ways to lower prices for American families and to restore our country to energy dominance. And, of course, the way to achieve this is by fixing our broken permitting process.

There is a lot of work to be done. There is bipartisan support to do it. She will be introducing, along with me, our legislation tomorrow, and this legislation is going to streamline a very complicated permitting process. It is going to speed up American infrastructure and energy, as well as mining projects. Taken together, this legislation will address fatal flaws in today's Federal permitting process.

Now, the current system moves in very slow motion. Too often, as Senator CAPITO said, there is no motion at

all. Things are stopped in their tracks. Today's process forces project developers to endure a maze of regulations, mountains of paperwork, expensive studies, and bureaucratic foot-dragging.

It takes an average of 4½ years now just to complete an environmental impact statement for one single project. In some cases, it can take a decade or more to get final approval for a project.

And even if a project makes it through the regulatory roadblocks to get a permit, it will inevitably be challenged in court. Project opponents are skilled at exploiting our broken permitting process to stop all progress. Litigation can drag on for years and cost millions and millions of dollars.

In my home State of Wyoming, activists are suing to cancel hundreds of Federal oil and gas permits. Now, these permits were issued after years of environmental reviews. They are frivolous—the lawsuits—but they are happening all across the country.

The longer it takes to get a permit, the more a project costs. The more it costs, the more likely a developer will either pull the plug or just give up before even starting.

The result of all of this is that energy prices go up. People feel the pain because, when investments aren't made, jobs don't materialize and projects of national importance don't get built.

And I am talking about projects like oil and gas wells, pipelines, transmission lines, wind and solar farms, powerplants, roads, tunnels, bridges, and mines.

To see what I mean, take a look at this chart from the Economist, "Cancel culture." It shows that, for the past several years, more miles of interstate gas pipelines have been canceled than have been built.

Let me repeat that.

This shows that, for the past several years, more miles of interstate gas pipelines have been canceled than have been built.

You know, we used to be able to build things in this country—not anymore. It is not that we don't know how. It is that we are not being allowed.

It shouldn't take longer to permit a project than to actually build it. In too many instances, it does. The American people inevitably lose when that happens.

The permitting process must change so we can lower costs for families and unleash American energy. We can't keep today's broken process and expect to stay ahead of rivals like China.

Taken together, the legislation that Senator CAPITO and I are introducing is going to streamline the permitting process while preserving environmental standards. This will put America back in the lead.

Project developers need to expect a system that is predictable and delivers a timely answer. Our legislation will do that by sticking to four basic principles.

First, real reform must benefit the entire country, not a narrow range of special interests. Our bills are technology and fuel neutral. By that, we mean we don't put our thumb on the scale for politically favored technologies. This is going to help expedite projects from both conventional and alternative energy sources. We need all the energy here in America.

Second, our legislation includes enforceable timelines with specific time limits on environmental reviews.

Third, we place time limits on legal challenges to prevent endless litigation intended solely to kill new energy projects.

And, finally, our legislation prevents the executive branch from hijacking the process to meet its own policy preferences.

The energy bill that I am going to introduce focuses on streamlining improvements to produce more American energy and more American mineral resources. It is going to lower costs for families. It is going to enhance America's energy security. It is going to reduce reliance on China, on Russia, and on other adversaries for energy, as well as key minerals.

A key aspect of my energy bill is to resume Federal onshore and offshore oil and gas leases. Now, the Biden administration has tried from day one to block access to Federal lands and waters, regardless of the law. We cannot allow any administration to deny, defy, and disregard the law.

My bill also will speed up the production of critical minerals used in renewable and battery technologies. Our country is blessed with large mineral deposits. Some are in your home State, Madam President, and in my home State, in Wyoming, in particular.

We have large reserves of coal, uranium, rare earths, and other minerals. Yet it often takes over 10 years in the United States to get a mining permit. Our competitors in China move much faster, as do our northern neighbors in Canada.

Unlocking domestic mining means that we will no longer have to rely on China and Russia for critical minerals. Finally, my bill will ensure the affordability and reliability of our electric grid. We will have American energy that is affordable, that is reliable, and that is available.

Now, the House recently passed the Lower Energy Costs Act. The Senate now has an opportunity to pass our own legislation. We can pass bipartisan legislation that unleashes American energy, boosts our international competitiveness, creates jobs, and lowers prices. This starts with fixing today's broken permitting process.

Now, Democrats said last year that this reform is necessary. Senator CAPITO and I are bringing solutions to the table. If Democrats are serious about fixing the broken process, meaningful reform is possible.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. SULLIVAN. Madam President, I want to thank Senator CAPITO and Senator BARRASSO for their leadership on an issue that matters to every single American. This is one of those issues where the Congress of the United States should be coming together in a bipartisan way to make sure we have a permitting system that enables us to build things—every kind of thing we need: roads, bridges, ports, energy, renewables, oil, and gas.

The system is broken. Everybody knows it.

I like to show this photo when I am talking about permitting reform. Why am I showing this very iconic photo of some men here building the Empire State Building? Because we all know that one of the great things about America is that we used to be able to build things—big things—on time: 410 days to build the Empire State Building. The Hoover Dam took less than 5 years to build. A little closer to home to me, the 1,700-mile Alaska-Canada Highway, what we call the ALCAN Highway, through some of the world's most rugged terrain—11 months.

This was the great thing about America. With the best workers in the world, we built huge things, on time, on budget—but not anymore, not anymore.

I don't want to be too partisan here, but one of the things that we all know we need is permitting. It is permitting. I am obsessed with this issue.

But I will tell you this. Every time—and it is probably going to happen again—we have a big permitting opportunity, a big permitting bill on the floor, what happens? It usually is a battle between the men and women who build stuff. The unions who build things, they want permitting reform. They want to be back in action, like these men decades ago.

The men and women who build things want it. The radical, far-left environmental groups hate it because they want to block building anything in America. They want to block producing any energy in America.

Unfortunately, when it is a choice between the men and women who build stuff and the far-left radical enviros on permitting, my Democratic colleagues almost every single time go with the radical left, not the men and women who build things. I hope it doesn't happen again, but it happens all the time.

Here is the thing: As I mentioned, our country used to build incredible things on time. Now we are a country that is tangled up in redtape. A simple highway in the United States can now take as long as 19 years to permit and build. In Alaska, we are ground zero for these kinds of projects where the permitting is delayed, far-left lower 48 environmental groups sue to stop, and they take advantage of NEPA.

Let me give an example. We had a gold mine in Alaska called the Kensington Mine. If you include the litigation from the far-left environmental groups, it took 20 years to permit—20

years. How does that help the country? How does that help my State? How does that help workers? It doesn't. The only people who like that are the far-left environmental groups and Xi Jinping and Putin, who want to make sure America can't produce.

So what has happened is the National Environmental Policy Act—NEPA, as we call it—has been abused. It was a great idea when it was passed in the late 1960s. It required builders to engage with the public, consider the environmental impacts of important projects. But back then, it was usually a couple of hundred pages, a NEPA review that would take about a year. Now that is several thousand pages. It takes several years for the NEPA process to move forward.

We have, again, some of our great leaders in our building trades. This is James Callahan, general president of the International Operating Engineers. Here is what he said recently on a piece of legislation that I moved forward last year, a CRA on a permitting issues:

Since its modest beginning, NEPA has evolved into a massive edifice, capable of destroying project after project—

Destroying, not helping—

job after job, in virtually every sector of the economy.

Whether it is the permitting bill that Senator CAPITO and Senator BARRASSO have done such a great job in leading; whether it is my Rebuild America Now Act, which is a major reform of the NEPA process—by the way, the vast majority of the building trades in America, the men and women who build things, support my legislation.

We need permitting reform. It is that simple. When you talk to a Governor in pretty much any State, whether they are Democrat or Republican; when you talk to a mayor, Democrat or Republican—it doesn't matter—they say: We have to fix our broken permitting system.

We had a hearing on airport infrastructure in the Commerce Committee several years ago. The head of the Seattle-Tacoma Airport was testifying. They had just built a new runway at Sea-Tac.

I asked him: How long did it take to build that runway?

In the hearing, he said: Three to four years.

I said: Well, that seems a little long, but I am not in construction, so I don't know exactly, but it seems a little long to build a new runway. How long did it take you to get the permits from the Federal Government to build that runway?

I didn't know the answer, but I am obsessed with this topic because it is killing our country. It is really hurting working men and women, like James Callahan, one of our great union leaders.

This witness looked at me—the head of the Sea-Tac Airport—when I asked him: How long did it take to get the permits?

He said: Senator SULLIVAN, 15 years.

Fifteen years to get a permit to build a new runway. You could hear the entire hearing room just kind of collectively groan because everybody knows it is bad for America.

Then he said: Senator, with the time it took to build the new runway—4 years—and the time it took to get the permits—15 years—almost 20 years.

The ancient Egyptians would have built the Pyramids by then. This is killing us. Everybody knows it. This should be a bipartisan issue.

I will end with this: Last year, I was proud to lead the efforts on what is called a Congressional Review Act, CRA. What it was for was—we passed the bipartisan infrastructure bill. We got some OK permitting reform in there—not as much as I wanted, but it was not bad. So that was good. I voted for the bill. It wasn't perfect. But then the Biden administration White House, at the behest of the far-left radical enviros, issued rules on permitting that were undermining its own bipartisan infrastructure bill. The CEQ put out rules that would make it much harder to build things in America—not just energy projects, all projects. It was crazy.

So I introduced a Congressional Review Act resolution to rescind the Biden rule driven by the far-left radical enviros. Here is the good news: My CRA passed in a bipartisan way on the floor of the U.S. Senate. Over 40 groups—you name them—farmers, ranchers, people who build things, all the building trades in America, all the unions—this collective group of over 40 groups representing millions of Americans who build stuff, who farm things, who grow things, all came and said: We support the Sullivan Congressional Review Act.

That is what we should be doing now. The Barrasso-Capito bill; Senator MANCHIN introduced his permitting legislation—we all know it is the right thing to do.

To my Democratic colleagues: Listen to the men and women who build stuff. Listen to the men and women who grow things. Don't listen to the far-left radical enviros who don't want any permitting reform because they love to crush projects. Be courageous. Vote with us on the permitting reform that everybody in America knows we need.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. RICKETTS. Madam President, I rise today to join my colleagues in calling for the need for permitting reform for our Federal Agencies. The current system we have right now is in dire need of reform. It takes too long and costs taxpayers too much money. As Governor of Nebraska, I had direct experience with this. Let me share some of those experiences.

The Natural Resources District, which is in charge of flood mitigation around Offutt Air Force Base, saw the need to raise the levees around Offutt Air Force Base.

Offutt Air Force Base is very important. Not only does it house the 55th Wing, but it also is the home of Strategic Command, which controls our nuclear forces.

They went about the process of getting the levees raised; however, the Army Corps of Engineers took 6 years—6 years—to grant the permit. The permit was granted, and construction was set to begin in March of 2019.

March 2019 was also the same month that we experienced the most widespread flooding in our State's history. As part of that flooding, Offutt Air Force Base was damaged. Floodwaters covered the runway and damaged over a dozen buildings. Ultimately, the cost to the U.S. taxpayers was nearly \$1 billion. If the Army Corps of Engineers had only given the permit in 4 years—which, by the way, still would have been horrible service—those levees would have been built up, and we could have avoided nearly \$1 billion in damage to Offutt Air Force Base, risking our national security and costing taxpayer dollars.

In another case, the Natural Resources District was looking to raise a different levee, R616-613. That permit took 7 years to get issued and at a cost of \$6 million. The overall project was set for \$45 million. That means that the cost of the permit alone was 13 percent of the overall cost of the project.

In hearings today with the Army Corps of Engineers, we find out that the Army Corps of Engineers has about 80,000 regulatory reviews and permits they issue, and they claim they turn those permits around in 11 months. However, they have no system of detecting or reviewing outliers like these 6- and 7-year permits, nor do they have any goals for what a permit should cost in the overall percentage of a project.

Here is the good news: This is something we can fix. In the State of Nebraska, we undertook permitting reform as well because we wanted to do a better job serving our customers and reduce our costs.

For example, with our air construction permits that the Nebraska Department of Environment and Energy issues, we looked at the process of doing that. It took almost 200 days to issue those permits. The process to issue those was 110 steps long. Only four of those steps actually offered any value. We were able to cut that number of steps down to 22 steps, and by 2019, it cut the days it takes to issue that permit down to 65—all without sacrificing any quality.

Through our department of transportation, we also have green sheets. These are the sheets we give to contractors to make sure they are complying with things like environmental regulations, antiquities, endangered species, erosion control, and also things such as hazardous waste disposal. It was taking us about 16 days to issue those, and the process was 87 steps long. We cut it down to 60 steps and were able to reduce the time it

takes to issue those green sheets by 81 percent, down to just 3 days. What that does is it then allows the contractor to get in the field and start building our roads faster, employing people faster.

When you have a regulatory environment where people know they can have that certainty, it helps businesses. In fact, Yahoo said they invested about \$20 million in Nebraska because they knew they would have that regulatory certainty in our State because we focused on good customer service.

We need to have the same sort of permitting reform at the Federal Government. In the State of Nebraska, we use Lean Six Sigma, which is a process of proven methodology to be able to do our permitting reform. Our Federal Agencies can do something similar.

I look forward to working with Ranking Member CAPITO on the Environmental and Public Works Committee on how we can come up with ways to reform our permitting system here at our Federal Agencies. This is something that will impact power generation, power transmission, infrastructure, flood control—a number of different things. This is vitally important for our country to continue to grow, for us to create jobs and ultimately be able to save taxpayers' money.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BUDD. Madam President, I rise today to highlight the desperate need to cut redtape and to get America building again. When I go all around North Carolina and I meet with builders and contractors, I am told by them that it is too hard to build and to complete critical projects in the United States and in North Carolina right now.

We are struggling to build the infrastructure we need to achieve energy dominance, to bridge the digital divide, and to attract good-paying, reliable manufacturing jobs back to our shores.

The primary stumbling block in this effort is one of our government's own making. Radical environment groups are going well beyond what is necessary to ensure a clean environment. They are weaponizing the National Environmental Policy Act, or NEPA, to indefinitely delay critical projects by filing frivolous lawsuits.

Now, I hail from a State that cares deeply about the environment: clean air, clean water, a livable planet. I believe Americans of all political stripes share that goal. However, the changing dynamics of global commerce and the global threat environment require Congress to make it easier to secure our energy security, to export our vast energy resources to keep our allies' energy safe, and to give our industries a chance to compete against China.

What Congress must do is to add a "shot clock," if you will, to NEPA reviews and limit opportunities for repetitive lawsuits that cause these very important projects to sit idle. We should follow the example of our House col-

leagues and pass legislation focused on unleashing American gas and oil production, expanding our capacity to export liquefied natural gas, and easing the path for other forms of energy like nuclear to come online and to keep America competitive in the 21st Century global economy.

I stand ready to work with all of my colleagues on solutions to get America back in the business of building large projects and tackling large problems.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Ms. ERNST. Madam President, the current permitting process in the United States is as outdated as that seventies' shag carpet in your grandma's house. It is true. A lot has changed since that old "rug," known as the National Environmental Policy Act, was installed in 1970.

Today, the Democrats like to preach that America is ready for the green energy revolution, but the facts just don't line up. Case in point: More than 92 percent of energy projects currently backlogged in the permitting process are solar and wind projects.

Just last week in a Senate Armed Services Committee hearing, Secretary of Energy Jennifer Granholm promised that our DOD, Department of Defense, could make our entire military fleet electric vehicles by 2030—all of them electric by 2030, just a little under 7 years from now.

I pressed her on how in the world our Pentagon could accomplish this in that short timeframe and, frankly, why it is a top priority for our Nation's military in the first place.

Folks, right now, China—China—controls the EV supply chain. The communist regime produces about 75 percent of all lithium-ion batteries that power those electric vehicles.

Over 70 percent of the world's cobalt mining occurs in the Democratic Republic of Congo, done by child labor. The remainder of the cobalt primarily comes from CCP-owned firms. To mine all of these minerals, China relies on slave labor.

This is absolutely unacceptable. Increasing reliance on the Chinese Communist Party and supporting their malign actions is a nonstarter.

In my exchange with Secretary Granholm in this Armed Services Committee meeting, she tried to tout the President's "Invest in America" agenda, saying: 150 battery companies have announced they are coming or expanding to the United States to do business.

That does sound great, right?

Well, these businesses are in for a real treat. The big hand of Washington, guided by the Biden administration, is ready and waiting to prevent these businesses from actually mining, procuring, and processing minerals needed for their batteries right here at home. The problem is, right now, on average, it takes 4½ years to simply get an environmental review for a project.

When the permitting process takes longer than the actual building process, that should raise a red flag.

Let's remove the redtape. The best strategy to confront our growing energy needs is to utilize the abundance of energy-producing natural resources that our country was blessed with and encourage alternative energy production methods. By increasing the use of renewables, like homegrown Iowa biofuel, and building on the advances in energy efficiency, we have the ability to pursue an energy strategy right here in America that creates jobs, lowers costs, and reduces our dependence upon our foreign adversaries like China. New clean energy projects bring economic benefits and jobs to rural areas, including my home State of Iowa.

The Biden administration claims to "build back better," but in today's reality, we simply can't build anything. It is time we pass commonsense permitting reform and get Washington bureaucrats out of the way.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. ROSEN). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HOEVEN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOEVEN. Madam President, I join my colleagues today to discuss the need to reform our Nation's broken Federal permitting process.

Today, it often takes longer to navigate the Federal permitting process than it does to actually construct a project. It currently takes, on average, 4½ years or more to complete an environmental impact statement, or EIS. For a quarter of projects, it can take 6 years or more to complete an environmental impact statement. That is because some radical environmental groups have really weaponized the National Environmental Policy Act, NEPA, and they are exploiting what has become a more and more opaque and convoluted Federal permitting process. This uncertainty not only drives up the cost of future projects, it is being applied to projects currently permitted in good faith.

Take, for instance, the Dakota Access Pipeline, which has been operating safely for nearly 6 years in its transporting of over a half a million barrels of crude oil per day from North Dakota—light sweet crude—and from the Fort Berthold Reservation and the Three Affiliated Tribes. It takes it to market, and it is used in our country to fuel our economy. The Army Corps held 389 meetings, conferred with more than 55 Tribes, and completed a 1,261-page environmental assessment before the pipeline went into operation. Yet litigation continued following the Federal approval and completion of the Dakota Access Pipeline, and the Corps is currently expected to take more than 4 years to complete a full environmental impact statement for about

two-tenths of a mile, crossing under the Missouri River. Subjecting a completed \$3.78 billion project to litigation without reasonable limits cannot be the new normal.

Delays and uncertainty drive up the costs of projects, and opponents are exploiting a more and more complicated permitting process so that delay becomes defeat. American consumers are paying the price for this regulatory uncertainty, particularly through higher energy costs.

Increasing the supply and lowering the cost of energy is key to attacking inflation because the cost of energy is built into every other good and service consumed across our economy. To accomplish this goal, the Biden administration needs to take the handcuffs off American energy producers and work with us on bipartisan permitting reform.

A good first start would be for the Senate to consider H.R. 1, the Lower Energy Costs Act, which recently passed the House on a bipartisan vote. H.R. 1 includes comprehensive permitting reforms that will unleash more American energy and make it more efficient and affordable to deliver energy to our Nation.

H.R. 1 also includes three pieces of legislation that I have introduced in the Senate.

First, the North American Energy Act brings certainty to the permitting process for important cross-border energy pipelines and electric transmission line projects and prevents the President from taking unilateral action in canceling vital energy projects like he did with the Keystone XL Pipeline.

Second, the Promoting Interagency Coordination for Review of Natural Gas Projects Act streamlines the review process for interstate natural gas pipelines and LNG projects, helping to more efficiently deliver natural gas to areas that need it the most.

Third, the Bureau of Land Management Mineral Spacing Act improves the permitting process in States like North Dakota with a split mineral estate where the Federal Government owns no surface acreage—none of the surface acres—and has a minority interest in the minerals underneath.

The United States is fortunate to have abundant and affordable reserves of coal, oil, and gas, and U.S. energy companies are global leaders when it comes to producing more energy with the highest environmental standards. We need to empower our producers with a clear, consistent, and timely Federal permitting process. Otherwise, we will once again become dependent on unstable and adversarial countries like Iran, Venezuela, Russia, and even China—countries hostile to our economic and national security interests.

That is why meaningful permitting reform is needed to create jobs, enhance our geopolitical competitiveness, and bring down costs for hard-working families.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Ms. LUMMIS. Madam President, our Federal permitting process is broken.

Back home in Wyoming, important infrastructure and energy projects are oftentimes delayed years due to mountains of regulation, redtape, bureaucracy, and even lawsuits. This is absolutely unacceptable. It is impossible for small businesses to even get off the ground thanks to these hurdles.

It is time to reform our Federal permitting process, and I am glad some of my colleagues from across the aisle are coming around to the idea of permitting reform. Some on the left are finally warming up to reform to try to push renewable energy projects.

Permitting reform needs to address all types of energy technologies, fuel, and projects. For that reason, any bipartisan effort needs to actually address the underlying statutes, including the National Environmental Policy Act, or NEPA; the Endangered Species Act; the Clean Water Act; and the Clean Air Act. Window dressing will no longer do.

Since NEPA is the single most litigated environmental statute, litigation reform needs to be part of the final product. Litigation reflects something is broken; that it is not working well. Some would have you believe otherwise. Litigation is the result of something is not working well. The average time for NEPA processes is 4½ years—nearly half a decade.

We also need to think about the processes and projects that have never been started because of these challenges. The costs of getting NEPA and getting an environmental impact statement are so high and take so long that some projects are never undertaken.

I have a friend in Wyoming who has been trying for over 10 years to get through the NEPA process to open a rare earth minerals mine so as to mine rare earth minerals we desperately need in this country so that we don't have to rely on places like China and the Republic of the Congo. But this man is going to retire because he is ready to retire, and this process is still ongoing. All that time, all that money, all that energy is being reduced to nothing because a process has taken the place of mining the rare earth minerals we desperately need in this country.

I applaud Senator SHELLEY MOORE CAPITO's leadership in addressing meaningful permitting reform. Her legislation will provide regulatory certainty to States and stakeholders, codify environmental regulatory reforms, and expedite permitting and review processes.

I am especially excited about the idea of allowing States to take on more of the shared workload when it comes to permitting, particularly under the Endangered Species Act.

I look forward to the Senate taking up this bill and providing much-needed permitting reform.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

INFLATION REDUCTION ACT

Mr. SCHATZ. Madam President, 8 months ago, we passed the Inflation Reduction Act. Sometimes when a major bill is passed, its effects are not immediate, but that is not the case with this legislation.

Since the IRA was signed into law, more than 100 clean energy projects have been announced. These include solar, wind, hydrogen power, battery manufacturing, electric vehicle development, and clean tech investments. If it seems like I am excited, it is because I am. They are in rural areas, in major cities, and everywhere in between, and in more than 30 States, from Idaho to Louisiana, to Ohio, to Arizona. Collectively, these projects have created more than 100,000 new jobs for electricians, for mechanics, for construction workers, for technicians, and more, but these 100,000 jobs are only the beginning.

A report from the University of Massachusetts projects that the IRA will create more than 9 million jobs over the next decade. I want to repeat that: 9 million jobs over the next decade. Those are manufacturing jobs for wind turbines, solar panels, and electric vehicles to make our power grid more resilient and our roads less polluted. They are construction jobs to make our homes and our buildings more energy efficient and to lower costs for families and small businesses. They are environmental jobs to support farmers, to protect fisheries, and to restore our public lands.

Investments supporting these new jobs and projects are already near \$90 billion, and with financial analysts projecting a multiplier effect of 1.6 dollars in private sector investment for every dollar of public spending, even the most optimistic predictions about the IRA's impact seem low now. A Credit Suisse report analyzing the bill estimates that we will see double the amount of clean energy that the bill was initially projected to accomplish—double the amount of clean energy. A new analysis from Goldman Sachs puts the impact even higher: triple the amount of clean energy that we were contemplating.

This shift is already happening in Colorado, where it is seeing a rapid expansion in clean energy development.

DR Richardson, who runs a business in electrifying homes with heat pumps and induction wiring, said about the change that “we are having a hard time keeping up with the demand. The Inflation Reduction Act has been a massive tailwind for us.”

In Michigan, the State's manufacturing background and embrace of electric vehicles could lead to as many as 34,000 new clean energy jobs. According to researcher Aaron Brickman, “There's a strategy, there's a plan, and the benefits are already being seen. . . . Michigan is poised for an economic boom.”

In Texas, a massive \$4 billion investment to create the country's largest green hydrogen facility was recently announced. It will also generate 1.4 gigawatts of wind and solar, enough to power nearly 750,000 homes. In the words of Seifi Ghasemi, the CEO of a company behind the investment, "It will be competitive on a world scale while bringing significant tax, job, and energy security benefits to Texas."

That is really what the IRA entails: new jobs, energy security, and a cleaner planet.

But there is an opponent to this progress. The opponent is the fossil fuel industry. They have gotten rich digging up oil and burning coal for generations, but now we are seeing the energy of the future that is not fossil fuels. They know that they have lost, so the industry and its supporters are attempting to stall this progress by throwing whatever they can find at it. They are pursuing litigation. They are pushing NIMBYism—"not in my backyard." They are trying to stop clean energy projects through the State public utility and public service commissions. They are attempting to hijack the Federal Energy Regulatory Commission. Through this CRA, they are trying to grind solar manufacturing to a halt.

So, if you hear this debate around this particular Congressional Review Act resolution, which we are contemplating today, it is not actually about this. There is a bigger story here, and the story is this: We finally took climate action that wasn't small. We finally took an action that was equal to the moment. We finally took action that was equal to the obligation that we have to future generations, that was equal to the opportunity for the United States and the entire planet to move forward on clean energy that benefits everybody, that lowers costs and saves our planet for the future.

So when they come after this particular action of the Biden administration, don't get lost in the weeds; they have lost. They are dead-enders. They know that. And so they will pick up a Congressional Review Act here or a Public Service Commission over there or they will gin up a bunch of NIMBYism over here or they will introduce another bill over there. But this is part of a story where, for the first time—and I mean this because it has been decades of us getting our butts kicked—for the first time, we are taking the kind of climate action that can actually make a difference, and they are terrified. That is what this CRA is all about.

We can choose more manufacturing jobs, or we can choose less; energy security or a continued dependence on foreign dictators; a forward-thinking outlook or a mindset from the past. That is what this CRA is ultimately about.

Despite the arguments the dark money apparatus of the fossil industry is making, it doesn't change what they

are. They are arguments that belong in the past. It is the equivalent of a pay phone tycoon failing to adapt after the iPhone came out.

But we don't have to be beholden to an industry whose strongest days are in the past. No matter what happens with this vote, the demand for solar panels made in America is not going away. The demand for energy-efficient homes and electric vehicles is not going away. The demand for renewable energy is not going away.

The IRA was not a one-off but the first, most meaningful step in the transition to the clean energy revolution. And the forces opposing this progress will be forced to recognize that sooner or later.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, it is a very happy coincidence for me that I get to follow my friend Senator SCHATZ on this topic to oppose the solar tariff Congressional Review Act effort that has been mounted on the floor because I could not agree more with him that this particular episode playing out here on the floor of the Senate today is part of a larger scheme.

We begin with the fact that across the United States, the solar industry employs a quarter of a million workers. It is a big deal. These are well-paying jobs in an industry that saves families money on their electric bills and decreases our carbon footprint—decreases our carbon footprint. So, of course, fossil fuel forces oppose it, and that is what we are stuck with now.

This fossil fuel attack, through this CRA, if successful, would lead to more than a billion dollars in retroactive duties on American solar companies. It would cost us 30,000 jobs. It would cost us \$4.2 billion in domestic investment. It would lead to the cancellation of 4 gigawatts of solar projects. And it would create an increase of 42 million metric tons of CO₂. So, of course, the fossil fuel industry is against all of that. It is for the duties. It is against the jobs. It is against the investment. It is against the solar projects. And it couldn't care less about CO₂.

The problem that we have here is that we are in a race against time to solve the climate problem before it gets out of hand.

In this town and in this building, one of the most dangerous things that we face is groupthink. The current groupthink is that climate change is a manageable problem; it won't get out of control. I don't believe that to be true. I think climate change is extremely dangerous—dangerous to our economy, dangerous to our ecosystems, and dangerous to our well-being.

We are having hearings in the Budget Committee that showcase some of those dangers—the danger of a coastal property values crash that is going to be worse than the 2008 mortgage meltdown; the danger of a similar property

values crash in the West, where wildfire risk will have the same effect on properties; the danger of an insurance meltdown because nature won't let insurance companies predict things any longer safely, so they can't ensure them any longer because they can't predict, and you have a retraction of the insurance market and all of what that means.

Last of all, we have got a huge carbon bubble that we have been repeatedly warned is going to pop. And when it does, U.S. fossil fuel assets will be stranded, their value will go to near zero, and there will be an enormous global economic dislocation.

These are ideas that have been put forward by huge insurance company executives, by Freddie Mac, by people who study the risk in wildfire areas, by the major sovereign banks of the world. Serious grownups are warning of these risks.

Up against those serious grownups, we have the creepy front groups of the fossil fuel industry denial machine continuing to put poison and nonsense into our ecosystem, into our mental and political ecosystem. That has to stop.

Groupthink is dangerous enough. More dangerous, there is a subgroup in the House and in the Senate that has stopped thinking entirely and is just taking marching orders from the fossil fuel industry. The conflict of interest could not be more apparent. It is obvious and plain on its face. Yet the money is there. The political dark money pours in, so they line up and follow them right off the cliff like lemmings. That is even more dangerous than groupthink.

Last, this is not the only game that is being played by our fossil fuel industry folks. One of the other things that we are going to have to continue to work on, and what the SEC is working on right now, is what is called ESG requirements put out by corporations. ESG is environment, social, and governance. What this is, is corporate America deciding that it is really important to its stockholders to make sure they are good citizens and that the likeliest measures of bad citizenship will be bad environmental practice, bad social practice, and bad governance. And so they intend to clean that up. There are experts who have looked at "e" and "s" and "g" to figure out what the best ways are for corporate America to avoid those risks.

Well, all these warnings about what is happening with fossil fuel and with climate change that scientists have known about forever, they are now so real and so immediate that they are within the zone where a fiduciary—a corporation with an obligation to its shareholders, a bank with an obligation to its customers—has to take the climate danger into account.

If you are writing 30-year mortgages, you have got to look out 30 years; and within 30 years, climate looks like it is going to be a nightmare. So this risk is now real. It is on the fiduciary horizon.

The fossil fuel industry can't stand it, so they are trying to break the rules of the market. They are trying to undo ESG. They want the government to intervene in what corporations are doing to protect their shareholders and tell them the truth about market risk consistent with their fiduciary obligations. They want to break every step in that chain to protect their continued ability to pollute.

So watch this ESG nonsense. The anti-ESG, so-called woke corporatism, is a fake. It is a Broadway theatrical production, minus being on Broadway and being in a theater. But it has actors paid for by the fossil fuel industry. It has script writers who are telling them what to say. It has directors and producers who are driving the show behind the scenes. It is an operation. It is a fake. It is a piece of political theater, and we have to be willing to push back against that, because you can't take these kind of chances with the climate risks that we are now facing.

By the way, this objection to ESG, it is never about the "g." It is never about the "s." It is always about the "e," the environmental piece. And within the environmental piece, it is always about carbon emissions. That is a telltale as to who is behind the anti-ESG political operation that is ongoing in America right now.

I hope we have a strong vote to knock this down.

I am delighted that President Biden is going to veto this. This would be self-harm if we were to allow this to happen to our country.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Nevada.

Ms. CORTEZ MASTO. Madam President, I rise today to talk about the solar tariff CRA, which, unfortunately, is misguided and is going to have a devastating impact on States like Nevada, as you well know.

H.J. Res. 39 to end the pause on solar tariffs is really a misguided effort that will not only cripple our Nation's solar industry but kill thousands of American jobs.

Our country is in a position to lead the rest of the world in clean energy production, including solar development. States like Nevada are building up our solar capabilities and creating thousands of new jobs that support working families.

Talk to the unions in my State, and you will hear how important solar is for Nevadans. I spent some time recently with IBEW at the Gemini Solar Project, which our Presiding Officer knows well. It is one of the new solar arrays in southern Nevada. I heard directly from them about how these are good-paying jobs for our workers, which is why so many unions, including the carpenters, the laborers, and operating engineers, oppose this resolution.

This effort to reinstate solar tariffs would devastate our operations; it would hurt working families; and it

would make it even more difficult to become energy independent in this country.

Just a few weeks ago, the Energy and Natural Resources Committee held a hearing with Energy Secretary Jennifer Granholm. She told me that she gets it; that we need a transition period to be able to build up our solar supply in the United States.

It is happening thanks to the Inflation Reduction Act, but we are just getting started. Right now, the United States only has capacity to manufacture a small fraction of our domestic solar demand. Now, of course, we need to keep building our domestic manufacturing of solar. We all agree. And we need to continue that process, but we shouldn't punish our workers by pretending that infrastructure already exists when we know it doesn't. That means we need to expand our supply of solar panels and cells.

Just having this vote this afternoon will have a chilling effect on the solar industry—the solar energy industry. Listen, when the threat of these tariffs was originally looming—just the threat of them back then—75 percent of domestic solar projects experienced cancellations or delays because of that threat, including in Nevada. And I heard it. The Presiding Officer heard it. We heard it from our workers. We heard it from the projects in the pipeline. That is a sign of what is to come if this misguided effort is successful.

Nevada has the No. 1 solar economy in the country, which has created nearly 9,000 good-paying jobs, many of them union jobs. But if we lift the pause on our solar tariffs, those jobs will be in danger. And I won't stand for it. I know the Presiding Officer won't stand for it.

And it is not just in Nevada. It is not just blue States or red States. These tariffs would risk the jobs of the 225,000 Americans who work in solar throughout the country. But some of my colleagues on the other side of the aisle still want to go ahead with this resolution.

Let me just say, Texas, for example, has over 10,000 jobs that would be endangered by these tariffs. North Carolina could see its nearly 7,000 solar jobs be jeopardized. And there are close to 12,000 Floridians working in the solar industry whose jobs would be at risk.

There is no justifiable reason to move forward with this resolution that would kill jobs in our own States. I agree that we need to stay competitive with the Chinese Government, but if we implement these tariffs, three-quarters of our solar deployment would stop. That would cede our leadership to the Chinese Government. It would hurt our domestic manufacturing. And our working families, most importantly, would pay the price. And we just can't let that happen.

We need to be supporting American leadership in the solar industry. We need to be protecting our working families and, yes, creating more solar jobs. That is why I am going to be urging my

colleagues to vote no on this irresponsible and harmful resolution.

Madam President, I yield the floor.

THE PRESIDING OFFICER. The Senator from Colorado.

Mr. BENNET. Madam President, I am so delighted that the Presiding Officer is in the Chair—the Senator from Nevada—who has led this fight on the floor against this incredibly counterproductive measure that the Senator from Florida has brought here—incredibly, in the name, somehow, of being tough on China.

I have seen lots of things on this floor that didn't make sense. I have seen lots of things where I have wondered about the judgment of people who were pursuing something allegedly in the interests of the American people, allegedly in the interests of American jobs, allegedly in the interests of manufacturing, allegedly because we are competing with China.

I have never seen something as counterproductive as this, and I want to thank the Presiding Officer for her leadership because she comes from Nevada and I come from Colorado, and we know the jobs that are at stake here—tens of thousands of jobs that could go away—a billion dollars of tariffs, of taxes that our solar industry would have to pay as they are going out of business because of what the Senator from Florida is trying to do in the name of being tough on the Chinese.

So let's talk about that for a second. Let's think about who is actually being tough on the Chinese. One of the benefits of the way the Chinese are organized—well, they see it as a benefit; I don't see it as a benefit, but they do—is that they don't live in a democracy; they live in a totalitarian society. In that totalitarian society, they can make 5-year plans; they can make 10-year plans. Xi can say: This is what we are going to do for the next 5 years. This is what we are going to do for the next 10 years.

And I would argue that, for the 20 years that we were spending fighting those two wars in the Middle East that we probably shouldn't have been fighting for those 20 years, the Chinese were marching along and marching along and marching along, stealing our intellectual property and developing new industries and new technologies. We had our eye off the ball.

One of the things that is hard about democracy is that sometimes we can't really plan much longer than between two elections—or one election, if we are really being pathetic. But, recently, there has been a different approach here. Recently, there has been a different approach in the infrastructure bill that we passed a couple of years ago that was bipartisan. It was the first infrastructure bill of any significance since Eisenhower was our President.

We finally said: Do you know what? We need to start investing in our country again.

And all over Nevada, all over Colorado, Americans are working on our

roads and bridges—long overdue—as a result of bipartisan work, Republicans and Democrats working together.

There was another bill that we passed that was the semiconductor legislation, the so-called CHIPS Act. Some people remember—I certainly do—when I was in college, Ronald Reagan was the President of the United States. And back then, Madam President, for some reason, everybody thought that it was a good idea to ship everything to Southeast Asia to get it made there, that it would be a good idea to ship it to China and have it made there. That is kind of what Ronald Reagan's view of the world was.

And I regret the fact that we went down that road for decades. Now that CHIPS bill—that semiconductor bill—that is the first piece of legislation since Ronald Reagan was President that said: Stop it. We are going to bring an industry back to the United States. We are going to bring the semiconductor industry back here.

And, by the way, I hope that is not the last. I hope that is only the first. But it sure made sense to start with semiconductors because 90 percent of the most important semiconductors in our fighter jets are made in Taiwan, 110 miles off the coast of China. Ninety percent of the semiconductors in our surface ships and in our submarines are made in Taiwan, 110 miles off the coast of China. What could possibly go wrong? Yet Democrats and Republicans working together said: We are going to bring that back.

Well, we had another bill, Madam President, that I regret didn't get any Republican votes. I wish that it had. I really do wish that it had because that bill had two pieces. One was healthcare, and one was energy.

In the healthcare piece, we cut drug prices for seniors. We said we are going to cap them at \$2,000. We said Medicare is going to negotiate drug prices on behalf of the American people for the first time. We capped insulin at 35 bucks a month—pretty amazing. And I am sorry some people didn't vote for that, and I don't know exactly why.

But the other part was an energy part, and, here, we were saying: We are going to compete with China. And here we were saying: We are going to lead the world in the transition that we are going to make from the fossil fuel economy that we have today to a clean energy economy; and that no country in the world is better situated to do that than the United States.

Does that mean we can turn fossil fuels off tomorrow? No. Can we turn them off yesterday? No.

I, for one, believe it is going to be really important for this country to export LNG, or liquefied natural gas, over to Europe to help keep Europe in the fight against Putin and to help replace Chinese coal. I think that is

going to help us with emissions. Not everybody agrees with me on that. I believe strongly.

And I don't think there is a country in the world that is better situated—because of our abundant fossil fuels that we have today, because of our commitment to the rule of law, because of our commitment to innovation, because we are not as corrupt as a lot of the countries that we are dealing with, and because we have passed the Inflation Reduction Act, which had \$270 billion of tax credits in it to drive innovation in the American economy. Because of all those things taken together, I am so happy to live in this country because we can lead that transition, and we can compete with China. We can outcompete China.

But into this sunny picture came the Biden administration, an administration that I generally support. But they, a few months ago, decided that they were going to begin an investigation into where certain solar panels came from. And the Presiding Officer and I and some others said: Hold on a second. We haven't made the transition yet. We haven't done it yet. It is going to take us 2 to 3 years to set up these manufacturing plants to build solar panels here, to make them here so we can compete with China. And, in the meantime, we have got tens of thousands of people who are swinging hammers in Nevada and Colorado and all across this country, who are climbing ladders and getting up on roofs to install solar panels to make sure that we are driving away from our reliance on fossil fuels and into a world where we are relying on wind and the Sun.

And the minute that the Biden administration did this, companies in Colorado started to say: We are going to go out of business. Companies in Nevada and New Mexico said: We are going out of business. The capital that was investing in them went away.

This isn't hypothetical. This was happening. They were saying to me and I know they were saying to the Presiding Officer: We are going to go bankrupt as a result of this policy.

We are going bankrupt as a result of this policy. We can't sell enough solar panels here in America. We can't install enough solar panels. We can't hire enough people. And now our own country is saying we are going to bring this to an end.

We went to the White House, and we said: We can't do this to tens of thousands of people all across our country. We can't do this if you are committed to fighting climate change. We can't do this if you are committed to the union workers who are installing all of those panels all over the United States.

I remember a phone call with the Presiding Officer, with the White House, where I said: This is a matter of days, not months.

To their credit, they came back, and they said: You guys were right. We need to put a moratorium in place. We need to have 2 years where we can have a transition to, you know, give us the chance to start manufacturing these panels here in America.

It is amazing to have people that strategic in our democracy, to be able to say: You know what, we passed a law—the Inflation Reduction Act—that is going to put us in the position of being able to manufacture these solar panels here, which Ronald Reagan and all those people should never have sent to China to begin with. So we are going to bring them back, but it is going to take us a little time.

In the meantime, we are going to adopt a set of policies that are going to allow the small businesses that are installing solar all over Nevada, all over Colorado, all over this country—we are going to not just allow them, we are going to celebrate the fact that they are there, and we are going the support them and give them notice.

We are going to act strategically with respect to our competition with China. And that is what we did. The combination of that moratorium and the Inflation Reduction Act—that is probably the most strategic we have been around here in decades—in decades. And now comes the Senator from Florida, who says: I am going to blow this up. I am going to compete with China by destroying the solar industry in the United States. I am going to compete with China by putting tens of thousands of people who are now working on the unemployment roll. I am going to compete with China, the Senator of Florida says, by putting a \$1 billion retroactive tax on the solar industry in Nevada, in Colorado, and all across the United States of America.

That doesn't sound like competing to China. That sounds like surrender, to me. That sounds like waving the white flag, to me.

In all the history of self-inflicted wounds around here, that is just the latest example. And don't get me started on that, although I will just say parenthetically, why anybody in this Chamber or in that Chamber would think this is the moment in American history to raise interest rates on the American people, on home buyers, and on people who have car loans and people who are paying student debt, I don't know. But that is not the topic we are here for today. But it is almost nuts, especially when the status quo is going to be so great for America because the status quo is, we are going to spend the next 2 years continuing to install solar panels. We are going to spend the next 2 years standing up manufacturing all across the United States of America. I hope a bunch of that is going to be in Colorado so we are building and manufacturing these solar panels here.

So what I would say is, if you are voting with the Senator from Florida, don't do it because you are competing somehow with the Chinese. You are surrendering to the Chinese. If you are doing it because you think that we got taken to the cleaners by the Chinese in terms of the manufacturing of solar panels to begin with, I acknowledge that, but that wasn't the Biden administration's fault. They are the ones who are trying to bring it back. They are the ones who are bringing it back, just like we were the ones who brought the semiconductor industry back.

We have an incredible opportunity to go forward here, to grow the industry that we have, and to lead the world, as I said, in this transition from fossil fuels to clean energy.

There is no country in the world that is better situated than the United States of America to lead that transition because of who we are, because of the natural resources we have, and because of the bill the Presiding Officer and I voted for. We shouldn't upset that. We shouldn't change that.

So I would encourage every single Senator in this Chamber, whether Democrat or Republican, to vote down this bill in the name of the competition we are in with China; to vote down this bill in the name of working people in this country; to vote down this bill in the name of our kids and grandkids, who hopefully are going to benefit from our leadership and the strategy we have been pursuing to make this transition. Let's agree together that we can find much more constructive ways to compete with our adversaries around the world.

Thank you, Madam President. Thank you for your leadership on this issue, and thank you for giving me a few minutes to talk today.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CARPER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARPER. Madam President, I want to start off by thanking you for your good work on this subject—this important subject—at issue.

I rise today because our critical work to combat the harmful effects of climate change is at risk. I am particularly concerned about the efforts some of our colleagues are undertaking to make even more dire the situation that our planet already faces, make it worse.

Every day that goes by, we hear about the horrific scenes that are caused by natural disasters—wildfires in the West and in the Northeast; flooding and hurricanes in the South; tornadoes like the ones we had just last month in Sussex County, DE—the southern part of our State—that took a

life; along with countless tornadoes across the Northwest. The list goes on and on and on.

These disasters are devastating families not just in my State, not just in your State, but also in States across our country, and wreaking havoc on our economy.

Over 3.3 million Americans were displaced due to natural disasters last year.

Let me say that again. Over 3.3 million Americans were displaced due to natural disasters.

On top of that, billions of dollars are spent every year—billions of dollars spent every year—in the aftermath of these disasters. That is double the number of people in Montana and Vermont combined.

Let me say that again. That is double the number of people in Montana and Vermont combined.

We cannot sit idly by, like some of our colleagues today would have us do, or allow for a reversal of the policies that are working to mitigate this devastation.

As we all know, the solar industry has been critical in helping us combat the effects of climate change. By transitioning to cleaner energy solutions, we are taking the necessary steps to reduce our impact—the human impact—on our warming planet.

The solar industry is not just good for our planet; it is good for American workers—a lot of them. Hundreds of thousands of jobs have been created right here on our own American soil to grow the solar energy and strengthen our supply chain.

The Inflation Reduction Act took these efforts one step further, allocating the largest investment we have ever made in the solar industry. The Inflation Reduction Act is already creating more jobs for more Americans across our country, while expanding our domestic solar manufacturing capacity.

With the commitment of the Biden administration, we are on track to increase domestic solar panel manufacturing capacity eightfold by the end of next year, generating up to \$40 billion in new investments.

Let me say that again. We can increase our domestic solar panel manufacturing eightfold by the end of next year.

Why would we get in the way of that progress? We can only ensure that this outcome is possible if we overcome the significant challenge presented here today.

As you might remember, last year, the U.S. Department of Commerce's investigation into solar tariffs imposed on countries in Southeast Asia paralyzed the industry and halted the supply chains of critical materials for American solar deployment. Rightly, the Biden administration stepped in and announced the suspension of these tariffs. This action saved tens of thousands of jobs, allowing our transition to cleaner energy solutions to continue

as demand for solar products continues to increase exponentially.

Today, we are once again facing the same threats to American jobs that we faced a year ago. It is unimaginable. At least it is unimaginable to me that we would be willing to make an unforced error—an unforced error—in our commitment to protecting our planet.

We shouldn't be fighting the Biden administration's work to preserve the trade balance. We simply can't afford to make mistakes that would halt solar employment and cost us a whole ton of American jobs.

With current U.S. solar manufacturing, we are only able to meet one-third of domestic demand—one-third. It is imperative that we protect this industry and the tens of thousands of jobs it produces.

If the pause on solar tariffs were to end, the consequences would be devastating. Let's take a minute just to walk through what Americans would face. Here is what they would face:

First of all, 30,000 good-paying jobs would be eliminated this year—not next year or the year after that; this year, 30,000. Of that 30,000, 4,000 are manufacturing jobs stemming from a \$4.2 billion domestic investment in the solar industry from legislation like the bipartisan Infrastructure Act and the Inflation Reduction Act.

Second, CO₂ emissions would increase by 42 million metric tons. That is about the same amount of emissions generated by the electricity use of 8 million homes in a year. This would undermine our progress on solar deployment and starve the solar market of the critical panels and cells that cannot be obtained in the United States at this time.

Third, our efforts to strengthen the supply chain by developing our own manufacturing would be severely harmed. The retroactive solar tariffs on materials that are currently not available in the United States would directly undercut our own efforts and send the supply chain into a downward spiral.

Fourth, roughly 14 percent of the industry's anticipated projects would be canceled.

I will say that again. Roughly 14 percent of the industry's anticipated projects would be canceled, significantly setting back our transition to a green energy economy.

We cannot afford to let this happen. We need to do everything in our power to lift up innovators in the solar industry, to boldly cut emissions from our power sector, and to attack this climate crisis head-on, all while continuing to create good-paying jobs.

Heaven forbid that the future generations look back and see that our own hand—our very own hand—forced this error.

I want to thank you, our Presiding Officer, Senator ROSEN, for your wonderful leadership on this issue.

I want to urge all of our colleagues to vote no on this resolution for the good

of our country, for the good of our planet, for the good of the people who inhabit this planet with all of us, and also for generations to come, our kids and their kids.

I want to take just a moment and get some other papers from my binder, so I suggest the absence of a quorum. I will be back in 1 minute. Don't go away.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CARPER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARPER. Madam President, I rise for a second time today and this time in opposition to S.J. Res. 9, a Congressional Review Act resolution to disapprove of the U.S. Fish and Wildlife Service's rule protecting a bird known as the lesser prairie-chicken under the Endangered Species Act.

Before I explain why my colleagues should reject this resolution, let me first answer two basic questions. Some who may be watching this debate could be asking: First, what is a lesser prairie-chicken? And, second, why do we need to protect it?

Those are two pretty good questions.

Native to the southern Great Plains, the lesser prairie-chicken has long been considered an indicator for healthy grasslands and prairies upon which hundreds of species depend. If the lesser prairie-chicken is in peril, in time, other species could be in peril, as well.

Today, the lesser prairie-chicken can be found in five States—Colorado, Kansas, Oklahoma, Texas, and New Mexico. We know that this colorful and, some would say, charismatic bird's distinct call was once a familiar part of the prairie soundscape, so much so that it has earned a representation in ceremonial dances of several Native American Tribes and celebration in communities across its multistate habitat.

Sadly, the population of the lesser prairie-chicken has declined by some 97 percent throughout the last century—97 percent. This decline is primarily due to loss of habitat and climate-related drought in the West.

In addition to the cultural and ecological losses that come with a declining lesser prairie-chicken population, there are impacts for communities, as well. For example, a local prairie chicken festival in Roosevelt County, NM, hasn't been held since 2012 because there are no longer enough birds in the area to sustain this tourism.

There are no lesser prairie-chickens in 45 of our 50 States. There are none. Still, we know firsthand the benefits that wildlife tourism can have on local economies. For example, people travel from all across the country—and, actually, around the world—to come to Delaware to see the beloved bird called the red knot. That is a familiar face and welcomed face along the shores of Delaware.

This tiny bird, which is now a threatened species due to climate change, migrates more than 18,000 miles. This tiny little bird migrates more than 18,000 miles on its roundtrip from the southern tip of South America to the tundra of the northern Arctic. Along the way, flocks of red knots stop for lunch, and they stop for lunch in Delaware. They stop for lunch along our beaches in Delaware. They stop and lunch on horseshoe crab eggs, often doubling their weight during this process. It is quite a spectacle.

Horseshoe crabs have been around for millions of years. Every year, during certain parts of the year, they lay their eggs and they lay them along the Delaware beaches, and the red knots come in and swoop them up and go to town, literally, doubling their weight before they head north or head south.

People come from all over the world to witness this. When they come from all over the world, they stay in our hotels. They eat in our restaurants. We have no sales tax. They shop safe with no sales tax. For us, it is a pretty good thing, and it is an even better deal for the red knots. They benefit and, frankly, so do we in our economy.

So while some might suggest that providing Endangered Species Act protections for the lesser prairie-chicken would hinder economic development, given our experience in Delaware, I have a different perspective based on our experience with threatened and endangered species in the First State.

Delaware is not the only State that pays homage to our Nation's iconic birds. In fact, five National Football League teams use birds as their mascot, including the Seattle Seahawks, the Arizona Cardinals, the Atlanta Falcons, the Baltimore Ravens, and the Philadelphia Eagles. Go birds.

In addition, the great State of Louisiana is known as the Pelican State. Today, the distinctive brown pelican is thriving along the Louisiana's coast because of the Endangered Species Act. To the west, the well-loved California condor actually became extinct in the wild in the year 1987. But with the help of the Endangered Species Act, there are now more than 550 condors in the wild. Unfortunately, Endangered Species Act protections for the lesser prairie-chickens have been delayed for decades. Now the species is in serious peril, which is why we should not wait any longer.

Some of our colleagues who oppose this rule for the lesser prairie-chicken have claimed that the Fish and Wildlife Service did not properly account for longstanding voluntary conservation efforts. That is just not true. While I commend the voluntary actions to conserve the lesser prairie-chicken, science shows existing efforts are not nearly enough to protect and recover this species.

That said, even with the data clearly demonstrating the need for enhanced protection for this extraordinary bird, the Fish and Wildlife Service worked

hard to create a flexible rule that would mitigate the negative impacts on impacted industries.

Specifically, the many years of volunteer conservation actions are not for naught. Under the Biden rule, those voluntary actions remain the foundation for current habitat and conservation plans to protect lesser prairie-chickens, while allowing continued industry operations.

Under the rule, farmers, ranchers, and energy producers can generally continue their normal activities, as long as they adhere to reasonable conservation plans. That is true even if these activities have a small negative impact on this species. And this flexibility applies to the range for the entire northern population, including all known habitats in Kansas, in Colorado, and in Oklahoma, and about half of the State of Texas.

What is more, the Fish and Wildlife Service delayed the effective date of this rule for 60 days to allow more time to work with partners and to work with stakeholders. Doing so allowed impacted industries to create conservation plans and minimize disruption to activity in the region. The Service also continues to collaborate closely with States to ensure that all interested parties have the tools that they need in order to comply with the rule.

Despite this effort by the Fish and Wildlife Service to ensure a smooth implementation, this CRA resolution would take a sledgehammer to the rule. And this CRA is, indeed, a sledgehammer. If enacted, this resolution would not only invalidate the rule issued by the Fish and Wildlife Services, but it could also prevent the Service from ever issuing a listing for the lesser prairie-chicken in the future.

To put it simply, enacting this resolution could set this species on a path to continued decline and eventual extinction. The resolution also undermines the Endangered Species Act. How is that, you ask? Well, this resolution violates the basic premise that the law should be applied based on science and not politics.

In 2019, an intergovernmental panel issued an alarming report. What did the report say? That report found that roughly 1 million species on our planet are endangered of extinction. Let me just say that again. In 2019—4 years ago—an intergovernmental panel issued an alarming report. What did it report? They found that roughly 1 million species on our planet are in danger of extinction.

We know that preserving our planet diversity is critical for innovation, it is critical for human health, and it is critical for our environment. And the Endangered Species Act is our best tool for protecting species and preserving environment.

Let me conclude this afternoon by offering a reminder of what is at stake here today: Extinction is forever. Let me say that again. Extinction is forever.

Overturning this listing may well mean the permanent loss of an iconic American species. That would harm our planet that we pass on to future generations and the communities and cultures that hold lesser prairie-chickens in high regard.

For all of these reasons, I oppose this resolution, and I strongly urge our colleagues to join me and others in voting no.

I yield the floor.

The PRESIDING OFFICER (Ms. BALDWIN). The junior Senator from Nevada.

Ms. ROSEN. Madam President, as you have heard from my colleagues before me, there are serious concerns about the job-killing resolution that we will be voting on this evening and the effects it will have on our solar industry and American workers.

For years, solar has been a growing source of clean, low-cost energy and economic development in States all across our Nation. And it is a source of jobs—good-paying, union jobs—right here in the United States.

America's domestic solar industry is made up of more than 10,000 businesses—large and small—located in every single State, employing over 250,000 Americans. I will repeat that: employing over 250,000 Americans. In fact, my State of Nevada has the most solar jobs per capita of any other State in this great Nation.

When we talk about the solar industry, we are talking about an industry that is generating hundreds of thousands of American jobs and supporting American workers, while at the same time helping us to transition to clean renewable energy.

Thanks to historic investments we secured in the bipartisan infrastructure law and the Inflation Reduction Act, the American solar industry is experiencing an unprecedented boom.

Last year, a new solar project was installed in the United States every 44 seconds and, in fact, the demand is only expected to increase. This is only going to create more jobs and help make us more energy independent.

For example, the average solar installer in Reno, NV, makes about \$80,000 a year. It is a good job. That is a job that lets a family pay their rent, buy groceries, put something away for their kids' college and for their own retirement. These are the kinds of jobs we should be creating, and we are, thanks to these historic investments.

That is why I have been a champion of our domestic solar industry and have been fighting back against attacks on it from my colleagues—well, frankly—on both sides of the aisle. That is why I led a bipartisan group of Senators last year to push President Biden to pause additional retroactive solar tariffs after a Commerce Department investigation. Well, they threatened to destroy our domestic solar industry and kill tens of thousands of American jobs.

But at this moment—this moment—our American solar workers are at

risk. My workers in Nevada are at risk. Those \$80,000-a-year jobs are at risk. And all of the progress we have made to transition to clean energy, all the good-paying jobs that we have created, and all of the solar projects that are lowering energy costs for families—well, they are all at risk, too.

Last week, the House of Representatives passed a Congressional Review Act. This resolution rolls back the 2-year pause on these additional solar tariffs. If enacted, this resolution will decimate our American solar industry. So let me be crystal clear: Enacting additional retroactive tariffs on imported solar panels themselves will kill—will absolutely kill—the American solar industry, and it will kill any chance we have to meet our climate goals. It will kill the current American solar jobs.

I know that some of my colleagues have said that supporting this resolution is being pro-worker. Well, I am just going to say that that is wrong. No one can say they are pro-worker while at the same time voting to kill good-paying American jobs. And that is exactly what this resolution will do.

I don't even know why this is on the table. Are we seriously going to tell that solar installer that he is out of a job? Are we going to put his family on unemployment just for politics?

I am going to repeat it: Supporting this resolution and killing American jobs, it hurts workers and their families. Period.

Opposing this resolution means being on the side of American workers. It means being on the side of unions like IBEW, the laborers, the operating engineers, the carpenters union, who are all urging a “no” vote today.

All of us here in this Chamber agree that we have to strengthen domestic manufacturing; we all agree we have to be competitive with China; and we all agree that we have to be energy independent.

That is what this current pause on additional tariffs—that is what this current pause helps us to do because, right now, solar panel manufacturers in the United States can only meet about 15 percent of the demand for American solar projects.

So thanks to the investments made by the Inflation Reduction Act, we are going to greatly ramp up our domestic solar manufacturing, creating jobs, making us energy independent right here at home.

But it is going to take time. It will take time to ramp up domestic solar manufacturing so it can provide more than 15 percent of U.S. demand. Our current solar industry's best success depends on the steady supply of solar panels to install. We can't cut off supply of important solar panels by enacting massive retroactive tariffs that will just kill solar projects; it will kill American jobs; and it will hurt American workers.

So what can we do?

Well, what we can do is have a bridge that allows us to do both: keep our do-

mestic solar industry alive while we invest and bolster our domestic manufacturing so that we can be competitive with China. That is exactly what this pause helps us to achieve.

Enacting retroactive tariffs will even directly harm U.S. solar panel manufacturing businesses by cutting off their major source of solar cells—a key component in the panels—making it that much harder for them and us to compete with China. That is why I am leading the effort to block this resolution and to keep the pause in place.

So I urge my fellow colleagues to join me and be on the side of workers by protecting good-paying American union jobs, to join me in fighting to meet our climate goals, and to join me in making our Nation more competitive with China by voting against this job-killing resolution and saving America's solar future. Hundreds of thousands of American solar workers, their families, and our communities—well, they are counting on us.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WARNOCK. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MIDTOWN ATLANTA SHOOTING

Mr. WARNOCK. Madam President, I rise today in shock and sorrow and in grief for my home State. And, if I am honest, I rise really with a deep sense of anger about what is happening in our country in the area of gun violence and death.

I stood here in March of 2021 after a gunman went on a rampage across Metro Atlanta and snatched eight precious souls—people with families and friends who loved them dearly. And here I am standing again, this time with the tragedy having occurred in midtown Atlanta, right in my own backyard.

While this is still a developing situation, according to media reports, so far, at least five people were shot—five—on a random afternoon. There has been one fatality. The others were taken to the hospital.

I want to take a moment and thank law enforcement officials for keeping us as safe as they can. I want to thank them for their work trying to apprehend this individual.

I am also thankful for local media who are keeping all of us informed, and I am grateful for our first responders, the people in healthcare, the people on the front lines. We count on them every day to care for those who are injured, to respond to people in peril. That is what makes this particular shooting ironic and deeply upsetting, because it underscores the fact that none of us is safe no matter where we are. This happened in a medical facility where people are trying to find healing.

So I want to underscore that, because there have been so many mass shootings—in fact, about one every day in this country this year—that, tragically, we act as if this is routine. We behave as if this is normal. It is not normal. It is not right for us to live in a nation where nobody is safe no matter where they are.

We are not safe in our schools; we are not safe in our workplaces; we are not safe at the grocery store; we are not safe at movie theaters; we are not safe at spas; we are not safe in our houses of worship. There is no sanctuary in the sanctuary. We are not safe at concerts; we are not safe at banks; we are not safe at parades; we are not safe in our own yards and in our own homes. Now, today, we can add medical facilities to that list.

And, still, we have done so very little in this building to respond—and in the American political square at large. I think there is an unspoken assumption. I think that the unspoken assumption is that “This can’t happen to me. This won’t happen to me. It won’t happen to people that I love.” But, with a mass shooting every day, the truth is the chances are great.

I shudder to say it, but the truth is, in a real sense, it is only a matter of time that this kind of tragedy comes knocking on your door. Then, in a deeper sense, I think it is important for us to recognize that it is already happening to you. You may not be the victim of a mass shooting. You may not know anyone who is the victim of a mass shooting yet, but in a real sense, it is already happening to all of us.

Dr. King was right:

We are tied in a single garment of destiny, caught up in an inescapable network of mutuality. Whatever affects one directly, affects all indirectly.

This is knocking on all of our doors, and I feel this this afternoon in a very real sense—I feel it in my bones—because my own two children were on lockdown this afternoon.

I have two small children, and their schools are on lockdown in response to this tragedy. They are there. I am here. I am hoping and praying that they are safe, but the truth is none of us are safe.

As a pastor, I am praying for those who are affected by this tragedy, but I hasten to say that thoughts and prayers are not enough. In fact, it is a contradiction to say that you are thinking and praying and then doing nothing. It is to make a mockery of prayer. It is to trivialize faith. We pray not only with our lips; we pray with our legs. We pray by taking action.

Still there are those who want to convince us that this is the cost of freedom. To them, we have to say no. This ongoing, slow-moving tragedy in our country—mass shootings as routine—is not the cost of freedom; it is the cost of blind obstinance, a refusal to change course even when the evidence suggests we must do something different. It is the cost of dema-

goguary—those who want to convince us that commonsense gun reform is somehow a call to take everybody’s guns. This is not the cost of freedom. Dare I say it is the cost of greed—gun lobbyists willing to line their pockets even at the cost of our children.

And so we must act.

I am proud of the fact that we did, after 30 years, pass some gun safety legislation here in the last Congress. It was a significant piece of legislation, but, obviously, it was not enough. There are 87 percent or more of Americans who believe that we ought to have universal background checks, and still we can’t get it. Think about that. In a country where everybody says we are divided—and there are deep divisions, to be sure. There is disagreement on this issue, to be sure. But in a country where there is 87-percent agreement on something, there is no movement on it in Congress, which means that that is a problem with our democracy. The people’s voices have been squeezed out of their democracy, and there is a growing chasm between what the people actually want and what they can get from their government.

We saw it in a stark and ugly way a few weeks ago when we had two brave, young legislators stand up in Tennessee—three, in fact. The same legislature that refused to do anything on gun violence came down on them with all of their might and expelled them from the legislature.

We have to stand up against these anti-democratic forces at work in our country, and we have to give the people their voices back. If we refuse to act while our children are dying and in a moment when no one is safe, then shame on us. Shame on us if we allow this to happen, and we do absolutely nothing.

Saint Augustine, the African bishop of the early church, said that hope has two beautiful daughters. He said they are both beautiful, Anger and Courage—anger with the way things are and courage to see that they do not remain as they are.

I am pleading; I am begging all of my colleagues on both sides of the aisle to remember the covenant that we have with one another as an American people. Stand up in this defining moment, and let’s do everything we can to protect all of us and, certainly, all of our children. We owe it to the people who have sent us here.

I know there are those who will look at this moment and say: Politically, do you really think we can get anything done here? They will ask if this is the time given the state of politics in our country right now.

I respond with the words of Dr. King, who said that the time is always right to do what is right, and that time is right now.

I yield the floor.

THE PRESIDING OFFICER. The senior Senator from Mississippi.

UNITED STATES NAVY

Mr. WICKER. Madam President, I come before the Senate this afternoon

to discuss the U.S. Navy’s ability to deter conflict in the Pacific. As China’s navy has grown, ours has shrunk, and we are running out of time to tilt the balance of power back toward the United States and ensure that deterrence does not fail in the Western Pacific.

For centuries, American naval power has proven the decisive factor in our security and prosperity. The U.S. Navy secured our victory in the American Revolution during the 18th century. It enabled our transformation into a world power in the 19th century. It defeated adversaries in two world wars in the 20th century, and it will decide our success or failure this century.

China’s rising strength on the seas is a direct threat to international peace and security. Their ability to exercise total control of the major sea lanes strikes at the heart of free and market-based economies in Asia and around the globe. For a few minutes today, I will outline the threat, our lack of preparedness, and what it will take for us to deter China from acting in an irresponsible way.

The Chinese Communist Party understands a truth that 19th century American CAPT Alfred Thayer Mahan summarized when he said, “Whoever rules the waves rules the world.” Beijing knows a great navy is a necessary step in their march for regional dominance.

And so, while our own shipyards were closing and downsizing and our shipbuilding budgets shrank, China went to sea.

According to the Secretary of the Navy, China has more shipbuilding capacity in just one shipyard than we have in our entire industrial base. By the end of this decade, China is expected to have a fleet of 440 warships. If the Navy’s latest 30-year shipbuilding plan is a guide, we would have only 290. Of course, the statutory requirement enacted by the Congress and signed by the President of the United States is 355.

A Chinese navy of the size I mentioned—440—and a strength relative to our own directly endangers our partner Taiwan, our allies in Japan and in the Philippines, and our military bases in the Pacific. More Chinese ships means more sea-based Chinese vertical launch cells—missile delivery systems, which are the primary offensive tool of any navy. A recent analysis found Beijing has more vertical launch cells than the United States and our allies combined. Those cells, in addition to China’s extensive sensing capabilities on the ground and in space, increase their advantage in the Western Pacific as our Navy plays an away game far from home.

These troubling facts demand a decisive response. Yet our Navy has failed to keep up. The Department of Defense recently delivered another 30-year shipbuilding plan that fails to meet Congress’s requirement. Their plan contains three building options, only one of which would grow the fleet to

the legally required battle force size of 355 ships. Even then, it would take two decades to get there.

This is not a blueprint for long-term American command of the sea. Instead, the administration is ceding control of the Western Pacific to dictator Xi Jinping and his Communist fleet. In fact, we are still living off the remains of the Reagan-era defense buildup, retiring ships we built at the end of the Cold War, without replacing them. Our shipbuilding pace has slowed. At the peak of the 1980s production surge, we constructed four Los Angeles-class attack submarines every year. Today, we struggle to build just two advanced submarines annually.

Some put a positive spin on this policy, labeling it a “strategic pause” or saying this is a deliberate strategy of “divest to invest.” Whatever the catch phrase, it is dangerous. We are shrinking our fleet and leaving our sailors to fight a war without the tools to win.

In some cases, technicians are forced to repair destroyers by taking parts off of other destroyers just to meet deployment requirements. One of our most vital submarines in the Indo-Pacific, the USS Connecticut, sustained damage 2 years ago and will likely not be repaired for another 5 years—another 5 years. Congress has already appropriated \$50 million to repair the Connecticut, and we will probably need to set aside more funds. The USS Boise—one of our fast-attack nuclear submarines—has spent 8 years in dry dock—8 years in dry dock—to receive rudimentary maintenance—8 years. This is absolutely unacceptable. It will cost over \$350 million to repair the Boise on top of the costs associated with keeping it in port for nearly a decade.

A diminished fleet size is not just about numbers; it has other cascading negative effects, particularly on our sailors. When we have fewer assets and yet ask our Navy to perform the same mission, we make sailors take longer deployments. That means a lower quality of life and higher stress on our ships and on our sailors, both of which impede our readiness efforts—and our recruitment and retention, I might add.

This diminished naval strength leaves us in a dangerous near-term situation with China, whose ambitions to dominate Asia loom large over the next decade.

Time is not on our side. We have promising new military technology set to come online in a decade or more, but China will likely reach its strongest position against us much sooner, well before that new technology of ours is in operation. That, combined with the retirement of ships built in the 1980s, has led some to dub the coming decade as the “terrible 20s.”

Our Navy struggles to meet basic requirements, while Xi Jinping visits Chinese military installations and tells its sailors to prepare for war. This discrepancy led Director of Naval Intel-

ligence RADM Mike Studeman to say that we have “China blindness.” It is no small thing for a one-star to tell us we are blind to the capabilities and urgency of our chief adversary’s military.

We are short on time, but we are not out of time. We do not want a conflict with China. China and the United States can prosper and coexist, but the best way to achieve peace is deterrence. To deter China in the short term and restore our long-term maritime strength, I propose three concrete steps that we can take right now.

First, we need to make a monumental investment in maritime infrastructure. Our shipbuilders are ready to build more, but they need the investments in machine tooling, workforce, and materials.

As our Chief of Naval Operations recently testified, our Navy should get a second shipyard for Constellation-class frigate construction, and we should increase investments in our submarine industrial base if we have any hope of implementing the AUKUS deal. The AUKUS deal is a 2022 agreement in which we promised to sell submarines to Australia as fast as we can build them.

Congress can spark a renaissance of shipbuilding by offering a demand signal for a major maritime buildup. Alongside a bipartisan group of Representatives and Senators, I have introduced the SHIPYARD Act to offer just such a demand signal.

The act authorizes \$25 billion of investment in our shipbuilding efforts. It empowers our shipyards to build the future of the U.S. Navy fleet and could be immediately implemented into this year’s defense funding measures.

Increased funding could push the Department of the Navy’s Shipyard Infrastructure Optimization Program to new levels of efficacy. This would add to the success we are already seeing, and there is no time to waste.

Second, we must immediately give the Navy the capabilities they need to deter a conflict in the next 5 years. This means taking technologies and concepts that are already on the shelf and integrating them into our Western Pacific posture. We should be forging ahead with purchases of sea mines, unmanned platforms, and long-range munitions, which would all be relevant and capable in the near term.

We also need to accelerate our efforts to field maritime target cells to ensure our fleet is properly able to coordinate and target adversarial assets far from our shores.

Third, we should continue to boost the programs within the Navy that are already making major strides toward deterring China. Commandant of the Marine Corps David Berger’s Force Design 2030 has transformed the Marine Corps into the cutting edge of our deterrent posture in the Pacific, and General Berger needs a fleet of amphibious ships to complete the job. Congress should step up and add funding for amphibious ships in this year’s NDAA.

Multiyear block buys would also signal demand to the shipbuilding industry.

These programs will be difficult and will, of course, cost money, but failing to complete them will facilitate China’s advance and be much more difficult and much more expensive in the long run.

We are in our most dangerous national security moment since World War II. We are in our most dangerous security moment since World War II, and we must urgently restore our naval deterrent to meet the moment.

Others have recognized this throughout our history. Reflecting on the dark days of World War II in early 1942, Winston Churchill wrote:

The foundation of all our hopes and dreams was the immense shipbuilding program of the United States.

Once again, the peace and security of the free world depends on our Navy. We need to rebuild it with haste.

The PRESIDING OFFICER. The senior Senator from Ohio.

DR. MARTIN LUTHER KING, JR.’S LETTER FROM BIRMINGHAM JAIL

Mr. BROWN. Madam President, it is an honor to join my colleagues of both parties on the floor today to read one of the greatest pieces of writing of the 20th century, Dr. King’s letter from the Birmingham jail.

I thank Senators WARNOCK, TILLIS, CASEY, CAPITO, BOOZMAN, and ROSEN for joining me.

Madam President, I ask unanimous consent that after I speak briefly, you will recognize, in this order, Senators WARNOCK, TILLIS, CASEY, then me, then CAPITO, then BOOZMAN, then ROSEN.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. Mr. President, our former colleague, Doug Jones from Alabama, began this bipartisan tradition. It happened in his State, and it is an honor to carry it.

Today, we recommit to Dr. King’s mission—equal rights for all—to ensuring that every voice is heard and to the dignity of work.

On Friday, we marked Workers Memorial Day, when we honor workers killed on the job over the past year and throughout our history. People don’t talk enough about what Dr. King was doing when he was assassinated. He was killed in Memphis while fighting for sanitation workers, AFSCME Local 1633, some of the most exploited workers in our country.

He traveled there following the death of two sanitation workers on the job. Not only was it a segregated neighborhood in Memphis, but, of course, even the garbage truck was segregated. Two White workers worked in the cab, and two Black workers worked in the back of the truck. They were killed when the truck malfunctioned and crushed them.

Dr. King understood the deep connection between workers’ rights and civil rights. Speaking to those workers, he said:

[W]henver you are engaged in work that serves humanity and is for the building of

humanity, it has dignity and it has worth. . . . All labor has dignity.

Until we have equal rights for all and dignity for all workers, our work here remains unfinished. We have a long road left to travel. It is up to us to push our country further along the road. That is the message to me in Dr. King's words in the letter we read today.

Just a quick preface of what this letter was about and then we will turn to Reverend WARNOCK. In April 1963, Dr. King was held in a Birmingham, AL, jail for the supposed crime of leading a series of peaceful protests and boycotts. The goal was to pressure the business community to end discrimination in their hiring for local jobs.

Some White ministers from Alabama had taken issue with the boycotts. They told him: Dr. King, slow down. We are supporting you. We are for voting rights, too, but slow down. Don't move too fast. Don't demand too much all at once.

Dr. King rejected that premise.

It is up to all of us—as citizens, as leaders, as members of our churches in our communities—to get to work to demand justice and equality now, not at some hazy, far-off point in the future that never seems to get here.

Dr. King made that point more eloquently and persuasively than any of us ever could. So I will turn to my colleague, the Reverend Senator WARNOCK.

The PRESIDING OFFICER. The junior Senator from Georgia.

Mr. WARNOCK. Thank you so much.

I am deeply honored to participate in this great tradition started by Senator Doug Jones of Alabama during his tenure and carried out by my colleague Senator BROWN.

I am always honored to revisit these words from Dr. King from the letter from a Birmingham jail. So without delay:

MY DEAR FELLOW CLERGYMEN:

While confined here in the Birmingham city jail, I came across your recent statement calling my present activities "unwise and untimely." Seldom do I pause to answer criticism of my working ideas. If I sought to answer all of the criticisms that cross my desk, my secretaries would have little time for anything other than such correspondence in the course of a day, and I would have no time for constructive work. But since I feel you are men of genuine good will and that your criticisms are sincerely set forth, I will try to answer your statement in what I hope will be patient and reasonable terms.

I think I should indicate why I am here in Birmingham, since you have been influenced by the view which argues against "outsiders coming in." I have the honor of serving as president of the Southern Christian Leadership Conference, an organization operating in every southern state, with headquarters in Atlanta, Georgia. We have some eighty five affiliated organizations across the South, and one of them is the Alabama Christian Movement for Human Rights. Frequently we share staff, educational and financial resources with our affiliates. Several months ago the affiliate here in Birmingham asked us to be on call to engage in a non-violent direct action program if such were

deemed necessary. We readily consented, and when the hour came we lived up to our promise. So I, along with several members of my staff, am here because I was invited here. I am here because I have organizational ties here.

But more basically, I am in Birmingham because injustice is here. Just as the prophets of the eighth century B.C. left their villages and carried their "thus saith the Lord" far beyond the boundaries of their home towns, and just as the Apostle Paul left his village of Tarsus and carried the gospel of Jesus Christ to the far corners of the Greco Roman world, so am I compelled to carry the gospel of freedom beyond my home town. Like Paul, I must constantly respond to the Macedonian call for aid.

Moreover, I am cognizant of the interrelatedness of all communities and states. I cannot sit idly by in Atlanta and not be concerned about what happens in Birmingham. Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly, affects all indirectly. Never again can we afford to live with the narrow, provincial "outside agitator" idea.

Anyone who lives inside the United States can never be considered an outsider anywhere within its bounds.

Now, you deplore the demonstrations taking place in Birmingham. But your statement, I am sorry to say, fails to express a similar concern for the conditions that brought about the demonstrations. I am sure that none of you would want to rest content with the superficial kind of social analysis that deals merely with effects and does not grapple with underlying causes. It is unfortunate that demonstrations are taking place in Birmingham, but it is even more unfortunate that the city's white power structure left the Negro community with no alternative.

In any nonviolent campaign there are four basic steps: collection of the facts to determine whether injustices exist; negotiation; self purification; and direct action. We have gone through all these steps in Birmingham. There can be no gainsaying the fact that racial injustice engulfs this community. Birmingham is probably the most thoroughly segregated city in the United States. Its ugly record of brutality is widely known. Negroes have experienced grossly unjust treatment in the courts. There have been more unsolved bombings of Negro homes and churches in Birmingham than in any other city in the nation. These are the hard, brutal facts of the case. On the basis of these conditions, Negro leaders sought to negotiate with the city fathers. But the latter consistently refused to engage in good faith negotiation.

Then, last September, came the opportunity to talk with leaders of Birmingham's economic community. In the course of the negotiations, certain promises were made by the merchants—for example, to remove the stores' humiliating racial signs. On the basis of these promises, the Reverend Fred Shuttlesworth and the leaders of the Alabama Christian Movement for Human Rights agreed to a moratorium on all demonstrations. As the weeks and months went by, we realized that we were the victims of a broken promise. A few signs, briefly removed, returned; the others remained. As in so many past experiences, our hopes had been blasted, and the shadow of deep disappointment settled upon us. We had no alternative except to prepare for direct action, whereby we would present our very bodies as a means of laying our case before the conscience of the local and the national community. Mindful of the difficulties involved, we decided to undertake a process of self purification. We began

a series of workshops on nonviolence, and we repeatedly asked ourselves: "Are you able to accept blows without retaliating?" "Are you able to endure the ordeal of jail?" We decided to schedule our direct action program for the Easter season, realizing that except for Christmas, this is the main shopping period of the year. Knowing that a strong economic-withdrawal program would be the by product of direct action, we felt that this would be the best time to bring pressure to bear on the merchants for the needed change.

Then it occurred to us that Birmingham's mayoral election was coming up in March, and we speedily decided to postpone action until after election day. When we discovered that the Commissioner of Public Safety, Eugene "Bull" Connor, had piled up enough votes to be in the run off, we decided again to postpone action until the day after the run off so that the demonstrations could not be used to cloud the issues. Like many others, we waited to see Mr. Connor defeated, and to this end we endured postponement after postponement. Having aided in this community need, we felt that our direct action program could be delayed no longer.

The PRESIDING OFFICER (Mr. MURPHY). The Senator from North Carolina.

Mr. TILLIS. Mr. President, I will continue:

You may well ask: "Why direct action? Why sit ins, marches and so forth? Isn't negotiation a better path?" You are quite right in calling for negotiation. Indeed, this is the very purpose of direct action. Nonviolent direct action seeks to create such a crisis and foster such a tension that a community which has constantly refused to negotiate is forced to confront the issue. It seeks so to dramatize the issue that it can no longer be ignored. My citing the creation of tension as part of the work of the nonviolent resister may sound rather shocking. But I must confess that I am not afraid of the word "tension." I have earnestly opposed violent tension, but there is a type of constructive, nonviolent tension which is necessary for growth. Just as Socrates felt that it was necessary to create a tension in the mind so that individuals could rise from the bondage of myths and half truths to the unfettered realm of creative analysis and objective appraisal, so must we see the need for non-violent gadflies to create the kind of tension in society that will help men rise from the dark depths of prejudice and racism to the majestic heights of understanding and brotherhood. The purpose of our direct action program is to create a situation so crisis packed that it will inevitably open the door to negotiation. I therefore concur with you in your call for negotiation. Too long has our beloved Southland been bogged down in a tragic effort to live in monologue rather than dialogue.

One of the basic points in your statement is that the action that I and my associates have taken in Birmingham is untimely. Some have asked: "Why didn't you give the new city administration time to act?" The only answer that I can give to this query is that the new Birmingham administration must be prodded about as much as the outgoing one, before it will act. We are sadly mistaken if we feel that the election of Albert Boutwell as mayor will bring the millennium to Birmingham. While Mr. Boutwell is a much more gentle person than Mr. Connor, they are both segregationists, dedicated to maintenance of the status quo. I have hope that Mr. Boutwell will be reasonable enough to see the futility of massive resistance to desegregation. But he will not see this without pressure from devotees of civil

rights. My friends, I must say to you that we have not made a single gain in civil rights without determined legal and nonviolent pressure. Lamentably, it is an historical fact that privileged groups seldom give up their privileges voluntarily. Individuals may see the moral light and voluntarily give up their unjust posture; but, as Reinhold Niebuhr has reminded us, groups tend to be more immoral than individuals.

We know through painful experience that freedom is never voluntarily given by the oppressor; it must be demanded by the oppressed. Frankly, I have yet to engage in a direct action campaign that was "well timed" in the view of those who have not suffered unduly from the disease of segregation. For years now I have heard the word "Wait!" It rings in the ear of every Negro with piercing familiarity. This "Wait" has almost always meant "Never." We must come to see, with one of our distinguished jurists, that "justice too long delayed is justice denied."

We have waited for more than 340 years for our constitutional and God given rights. The nations of Asia and Africa are moving with jetlike speed toward gaining political independence, but we still creep at horse and buggy pace toward gaining a cup of coffee at a lunch counter. Perhaps it is easy for those who have never felt the stinging darts of segregation to say, "Wait." But when you have seen vicious mobs lynch your mothers and fathers at will and drown your sisters and brothers at whim; when you have seen hate filled policemen curse, kick and even kill your black brothers and sisters; when you see the vast majority of your twenty million Negro brothers smothering in an airtight cage of poverty in the midst of an affluent society; when you suddenly find your tongue twisted and your speech stammering as you seek to explain to your six year old daughter why she can't go to the public amusement park that has just been advertised on television, and see tears welling up in her eyes when she is told that Funtown is closed to colored children, and see ominous clouds of inferiority beginning to form in her little mental sky, and see her beginning to distort her personality by developing an unconscious bitterness toward white people; when you have to concoct an answer for a five year old son who is asking: "Daddy, why do white people treat colored people so mean?"; when you take a cross country drive and find it necessary to sleep night after night in the uncomfortable corners of your automobile because no motel will accept you; when you are humiliated day in and day out by nagging signs reading "white" and "colored"; when your first name becomes "nigger," your middle name becomes "boy" (however old you are) and your last name becomes "John," and your wife and mother are never given the respected title "Mrs."; when you are harried by day and haunted by night by the fact that you are a Negro, living constantly at tiptoe stance, never quite knowing what to expect next, and are plagued with inner fears and outer resentments; when you are forever fighting a degenerating sense of "nobodiness"—then you will understand why we find it difficult to wait. There comes a time when the cup of endurance runs over, and men are no longer willing to be plunged into the abyss of despair.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I will continue the reading of Martin Luther King's letter from the Birmingham jail.

I hope, sirs, you can understand our legitimate and unavoidable impatience. You ex-

press a great deal of anxiety over our willingness to break laws. This is certainly a legitimate concern. Since we so diligently urge people to obey the Supreme Court's decision of 1954 outlawing segregation in the public schools, at first glance it may seem rather paradoxical for us consciously to break laws. One may well ask: "How can you advocate breaking some laws and obeying others?" The answer lies in the fact that there are two types of laws: Just and unjust. I would be the first to advocate obeying just laws. One has not only a legal but a moral responsibility to obey just laws. Conversely, one has a moral responsibility to disobey unjust laws. I would agree with St. Augustine that "an unjust law is no law at all."

Now, what is the difference between the two? How does one determine whether a law is just or unjust? A just law is a man made code that squares with the moral law or the law of God. An unjust law is a code that is out of harmony with the moral law. To put it in the terms of St. Thomas Aquinas: An unjust law is a human law that is not rooted in eternal law and natural law. Any law that uplifts human personality is just. Any law that degrades human personality is unjust. All segregation statutes are unjust because segregation distorts the soul and damages the personality. It gives the segregator a false sense of superiority and the segregated a false sense of inferiority. Segregation, to use the terminology of the Jewish philosopher Martin Buber, substitutes an "I it" relationship for an "I thou" relationship and ends up relegating persons to the status of things. Hence, segregation is not only politically, economically and sociologically unsound, it is morally wrong and sinful. Paul Tillich has said that sin is separation. Is not segregation an existential expression of man's tragic separation, his awful estrangement, his terrible sinfulness? Thus it is that I can urge men to obey the 1954 decision of the Supreme Court, for it is morally right; and I can urge them to disobey segregation ordinances, for they are morally wrong.

Let us consider a more concrete example of just and unjust laws. An unjust law is a code that a numerical or power majority group compels a minority group to obey but does not make binding on itself. This is difference made legal. By the same token, a just law is a code that a majority compels a minority to follow and that it is willing to follow itself. This is sameness made legal. Let me give another explanation. A law is unjust if it is inflicted on a minority that, as a result of being denied the right to vote, had no part in enacting or devising the law. Who can say that the legislature of Alabama which set up that state's segregation laws was democratically elected? Throughout Alabama all sorts of devious methods are used to prevent Negroes from becoming registered voters, and there are some counties in which, even though Negroes constitute a majority of the population, not a single Negro is registered. Can any law enacted under such circumstances be considered democratically structured?

Sometimes a law is just on its face and unjust in its application. For instance, I have been arrested on a charge of parading without a permit. Now, there is nothing wrong in having an ordinance which requires a permit for a parade. But such an ordinance becomes unjust when it is used to maintain segregation and to deny citizens the First Amendment privilege of peaceful assembly and protest.

I hope you are able to see the distinction I am trying to point out. In no sense do I advocate evading or defying the law, as would the rabid segregationist. That would lead to anarchy. One who breaks an unjust law must do so openly, lovingly, and with a willing-

ness to accept the penalty. I submit that an individual who breaks a law that conscience tells him is unjust, and who willingly accepts the penalty of imprisonment in order to arouse the conscience of the community over its injustice, is in reality expressing the highest respect for law.

Of course, there is nothing new about this kind of civil disobedience. It was evidenced sublimely in the refusal of Shadrach, Meshach and Abednego to obey the laws of Nebuchadnezzar, on the ground that a higher moral law was at stake. It was practiced superbly by the early Christians, who were willing to face hungry lions and the excruciating pain of chopping blocks rather than submit to certain unjust laws of the Roman Empire. To a degree, academic freedom is a reality today because Socrates practiced civil disobedience. In our own nation, the Boston Tea Party represented a massive act of civil disobedience.

We should never forget that everything Adolf Hitler did in Germany was "legal" and everything the Hungarian freedom fighters did in Hungary was "illegal." It was "illegal" to aid and comfort a Jew in Hitler's Germany. Even so, I am sure that, had I lived in Germany at the time, I would have aided and comforted my Jewish brothers. If today I lived in a Communist country where certain principles dear to the Christian faith are suppressed, I would openly advocate disobeying that country's antireligious laws.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I will continue.

I must make two honest confessions to you, my Christian and Jewish brothers. First, I must confess that over the past few years I have been gravely disappointed with the white moderate.

I have almost reached the regrettable conclusion that the Negro's great stumbling block in his stride toward freedom is not the White Citizen's Council or the Ku Klux Klanner, but the white moderate, who is more devoted to "order" than to justice; who prefers a negative peace which is the absence of tension to a positive peace which is the presence of justice; who constantly says: "I agree with you in the goal you seek, but I cannot agree with your methods of direct action"; who paternalistically believes he can set the timetable for another man's freedom; who lives by a mythical concept of time and who constantly advises the Negro to wait for a "more convenient season." Shallow understanding from people of good will is more frustrating than absolute misunderstanding from people of ill will. Lukewarm acceptance is much more bewildering than outright rejection.

I had hoped that the white moderate would understand that law and order exist for the purpose of establishing justice and that when they fail in this purpose they become the dangerously structured dams that block the flow of social progress.

I had hoped that the white moderate would understand that the present tension in the South is a necessary phase of the transition from an obnoxious negative peace, in which the Negro passively accepted his unjust plight, to a substantive and positive peace, in which all men will respect the dignity and worth of human personality. Actually, we who engage in nonviolent direct action are not the creators of tension. We merely bring to the surface the hidden tension that is already alive. We bring it out in the open, where it can be seen and dealt with. Like a boil that can never be cured so long as it is covered up but must be opened with all its ugliness to the natural medicines of air and

light, injustice must be exposed, with all the tension its exposure creates, to the light of human conscience and the air of national opinion before it can be cured.

In your statement you assert that our actions, even though peaceful, must be condemned because they precipitate violence. But is this a logical assertion? Isn't this like condemning a robbed man because his possession of money precipitated the evil act of robbery? Isn't this like condemning Socrates because his unswerving commitment to truth and his philosophical inquiries precipitated the act by the misguided populace in which they made him drink hemlock? Isn't this like condemning Jesus because his unique God consciousness and never ceasing devotion to God's will precipitated the evil act of crucifixion? We must come to see that, as the federal courts have consistently affirmed, it is wrong to urge an individual to cease his efforts to gain his basic constitutional rights because the quest may precipitate violence. Society must protect the robbed and punish the robber. I had also hoped that the white moderate would reject the myth concerning time in relation to the struggle for freedom. I have just received a letter from a white brother in Texas. He writes: "All Christians know that the colored people will receive equal rights eventually, but it is possible that you are in too great a religious hurry. It has taken Christianity almost two thousand years to accomplish what it has. The teachings of Christ take time to come to earth." Such an attitude stems from a tragic misconception of time, from the strangely irrational notion that there is something in the very flow of time that will inevitably cure all ills. Actually, time itself is neutral; it can be used either destructively or constructively. More and more I feel that the people of ill will have used time much more effectively than have the people of good will. We will have to repent in this generation not merely for the hateful words and actions of the bad people but for the appalling silence of the good people. Human progress never rolls in on wheels of inevitability; it comes through the tireless efforts of men willing to be coworkers with God, and without this hard work, time itself becomes an ally of the forces of social stagnation. We must use time creatively, in the knowledge that the time is always ripe to do right. Now is the time to make real the promise of democracy and transform our pending national elegy into a creative psalm of brotherhood. Now is the time to lift our national policy from the quicksand of racial injustice to the solid rock of human dignity.

You speak of our activity in Birmingham as extreme. At first I was rather disappointed that fellow clergymen would see my nonviolent efforts as those of an extremist. I began thinking about the fact that I stand in the middle of two opposing forces in the Negro community. One is a force of complacency, made up in part of Negroes who, as a result of long years of oppression, are so drained of self respect and a sense of "somebodiness" that they have adjusted to segregation; and in part of a few middle-class Negroes who, because of a degree of academic and economic security and because in some ways they profit by segregation, have become insensitive to the problems of the masses. The other force is one of bitterness and hatred, and it comes perilously close to advocating violence. It is expressed in the various black nationalist groups that are springing up across the nation, the largest and best known being Elijah Muhammad's Muslim movement. Nourished by the Negro's frustration over the continued existence of racial discrimination, this movement is made up of people who have lost faith in America, who have absolutely repudiated

Christianity, and who have concluded that the white man is an incorrigible "devil."

I have tried to stand between these two forces, saying that we need emulate neither the "do nothingism" of the complacent nor the hatred and despair of the black nationalist. For there is the more excellent way of love and nonviolent protest. I am grateful to God that, through the influence of the Negro church, the way of nonviolence became an integral part of our struggle. If this philosophy had not emerged, by now many streets of the South would, I am convinced, be flowing with blood. And I am further convinced that if our white brothers dismiss as "rabble rousers" and "outside agitators" those of us who employ nonviolent direct action, and if they refuse to support our nonviolent efforts, millions of Negroes will, out of frustration and despair, seek solace and security in black nationalist ideologies—a development that would inevitably lead to a frightening racial nightmare.

The PRESIDING OFFICER. The Senator from West Virginia.

Mrs. CAPITO.

Oppressed people cannot remain oppressed forever. The yearning for freedom eventually manifests itself, and that is what has happened to the American Negro. Something within has reminded him of his birthright of freedom, and something without has reminded him that it can be gained. Consciously or unconsciously, he has been caught up by the Zeitgeist, and with his black brothers of Africa and his brown and yellow brothers of Asia, South America and the Caribbean, the United States Negro is moving with a sense of great urgency toward the promised land of racial justice. If one recognizes this vital urge that has engulfed the Negro community, one should readily understand why public demonstrations are taking place. The Negro has many pent up resentments and latent frustrations, and he must release them. So let him march; let him make prayer pilgrimages to the city hall; let him go on freedom rides—and try to understand why he must do so. If his repressed emotions are not released in nonviolent ways, they will seek expression through violence; this is not a threat but a fact of history. So I have not said to my people: "Get rid of your discontent." Rather, I have tried to say that this normal and healthy discontent can be channeled into the creative outlet of nonviolent direct action. And now this approach is being termed extremist. But though I was initially disappointed at being categorized as an extremist, as I continued to think about the matter I gradually gained a measure of satisfaction from the label. Was not Jesus an extremist for love: "Love your enemies, bless them that curse you, do good to them that hate you, and pray for them which despitefully use you, and persecute you." Was not Amos an extremist for justice: "Let justice roll down like waters and righteousness like an ever flowing stream." Was not Paul an extremist for the Christian gospel: "I bear in my body the marks of the Lord Jesus." Was not Martin Luther an extremist: "Here I stand; I cannot do otherwise, so help me God." And John Bunyan: "I will stay in jail to the end of my days before I make a butchery of my conscience." And Abraham Lincoln: "This nation cannot survive half slave and half free." And Thomas Jefferson: "We hold these truths to be self evident, that all men are created equal . . ." So the question is not whether we will be extremists, but what kind of extremists we will be. Will we be extremists for hate or for love? Will we be extremists for the preservation of injustice or for the extension of justice? In that dramatic scene on Calvary's hill three men were

crucified. We must never forget that all three were crucified for the same crime—the crime of extremism. Two were extremists for immorality, and thus fell below their environment. The other, Jesus Christ, was an extremist for love, truth and goodness, and thereby rose above his environment. Perhaps the South, the nation and the world are in dire need of creative extremists.

I had hoped that the white moderate would see this need. Perhaps I was too optimistic; perhaps I expected too much. I suppose I should have realized that few members of the oppressor race can understand the deep groans and passionate yearnings of the oppressed race, and still fewer have the vision to see that injustice must be rooted out by strong, persistent and determined action. I am thankful, however, that some of our white brothers in the South have grasped the meaning of this social revolution and committed themselves to it. They are still all too few in quantity, but they are big in quality. Some—such as Ralph McGill, Lillian Smith, Harry Golden, James McBride Dabbs, Ann Braden and Sarah Patton Boyle—have written about our struggle in eloquent and prophetic terms. Others have marched with us down nameless streets of the South. They have languished in filthy, roach infested jails, suffering the abuse and brutality of policemen who view them as "dirty nigger-lovers." Unlike so many of their moderate brothers and sisters, they have recognized the urgency of the moment and sensed the need for powerful "action" antidotes to combat the disease of segregation. Let me take note of my other major disappointment. I have been so greatly disappointed with the white church and its leadership. Of course, there are some notable exceptions. I am not unmindful of the fact that each of you has taken some significant stands on this issue. I commend you, Reverend Stallings, for your Christian stand on this past Sunday, in welcoming Negroes to your worship service on a nonsegregated basis. I commend the Catholic leaders of this state for integrating Spring Hill College several years ago.

But despite these notable exceptions, I must honestly reiterate that I have been disappointed with the church. I do not say this as one of those negative critics who can always find something wrong with the church. I say this as a minister of the gospel, who loves the church; who was nurtured in its bosom; who has been sustained by its spiritual blessings and who will remain true to it as long as the cord of life shall lengthen.

Mr. BOOZMAN.

When I was suddenly catapulted into the leadership of the bus protest in Montgomery, Alabama, a few years ago, I felt we would be supported by the white church. I felt that the white ministers, priests and rabbis of the South would be among our strongest allies. Instead, some have been outright opponents, refusing to understand the freedom movement and misrepresenting its leaders; all too many others have been more cautious than courageous and have remained silent behind the anesthetizing security of stained glass windows.

In spite of my shattered dreams, I came to Birmingham with the hope that the white religious leadership of this community would see the justice of our cause and, with deep moral concern, would serve as the channel through which our just grievances could reach the power structure. I had hoped that each of you would understand. But again I have been disappointed.

I have heard numerous southern religious leaders admonish their worshipers to comply with a desegregation decision because it is the law, but I have longed to hear white ministers declare: "Follow this decree because

integration is morally right and because the Negro is your brother." In the midst of blatant injustices inflicted upon the Negro, I have watched white churchmen stand on the sideline and mouth pious irrelevancies and sanctimonious trivialities. In the midst of a mighty struggle to rid our nation of racial and economic injustice, I have heard many ministers say: "Those are social issues, with which the gospel has no real concern." And I have watched many churches commit themselves to a completely other worldly religion which makes a strange, un-Biblical distinction between body and soul, between the sacred and the secular.

I have traveled the length and breadth of Alabama, Mississippi and all the other southern states. On sweltering summer days and crisp autumn mornings I have looked at the South's beautiful churches with their lofty spires pointing heavenward. I have beheld the impressive outlines of her massive religious education buildings. Over and over I have found myself asking: "What kind of people worship here? Who is their God? Where were their voices when the lips of Governor Barnett dripped with words of interposition and nullification? Where were they when Governor Wallace gave a clarion call for defiance and hatred? Where were their voices of support when bruised and weary Negro men and women decided to rise from the dark dungeons of complacency to the bright hills of creative protest?"

Yes, these questions are still in my mind. In deep disappointment I have wept over the laxity of the church. But be assured that my tears have been tears of love. There can be no deep disappointment where there is not deep love. Yes, I love the church. How could I do otherwise? I am in the rather unique position of being the son, the grandson and the great grandson of preachers. Yes, I see the church as the body of Christ. But, oh! How we have blemished and scarred that body through social neglect and through fear of being nonconformists.

There was a time when the church was very powerful—in the time when the early Christians rejoiced at being deemed worthy to suffer for what they believed. In those days the church was not merely a thermometer that recorded the ideas and principles of popular opinion; it was a thermostat that transformed the mores of society. Whenever the early Christians entered a town, the people in power became disturbed and immediately sought to convict the Christians for being "disturbers of the peace" and "outside agitators." But the Christians pressed on, in the conviction that they were "a colony of heaven," called to obey God rather than man. Small in number, they were big in commitment. They were too God-intoxicated to be "astronomically intimidated." By their effort and example they brought an end to such ancient evils as infanticide and gladiatorial contests. Things are different now. So often the contemporary church is a weak, ineffectual voice with an uncertain sound. So often it is an archdefender of the status quo. Far from being disturbed by the presence of the church, the power structure of the average community is consoled by the church's silent—and often even vocal—sanction of things as they are.

But the judgment of God is upon the church as never before. If today's church does not recapture the sacrificial spirit of the early church, it will lose its authenticity, forfeit the loyalty of millions, and be dismissed as an irrelevant social club with no meaning for the twentieth century. Every day I meet young people whose disappointment with the church has turned into outright disgust. Perhaps I have once again been too optimistic. Is organized religion too inextricably bound to the status quo to save our nation and the world?

Perhaps I must turn my faith to the inner spiritual church, the church within the church, as the true *ekklesia* and the hope of the world. But again I am thankful to God that some noble souls from the ranks of organized religion have broken loose from the paralyzing chains of conformity and joined us as active partners in the struggle for freedom. They have left their secure congregations and walked the streets of Albany, Georgia, with us. They have gone down the highways of the South on tortuous rides for freedom. Yes, they have gone to jail with us. Some have been dismissed from their churches, have lost the support of their bishops and fellow ministers. But they have acted in the faith that right defeated is stronger than evil triumphant. Their witness has been the spiritual salt that has preserved the true meaning of the gospel in these troubled times. They have carved a tunnel of hope through the dark mountain of disappointment. I hope the church as a whole will meet the challenge of this decisive hour. But even if the church does not come to the aid of justice, I have no despair about the future. I have no fear about the outcome of our struggle in Birmingham, even if our motives are at present misunderstood. We will reach the goal of freedom in Birmingham and all over the nation, because the goal of America is freedom.

The PRESIDING OFFICER. The Senator from Nevada.

Ms. ROSEN. Mr. President, I would like to continue finishing the letter from the Birmingham jail:

Abused and scorned though we may be, our destiny is tied up with America's destiny. Before the pilgrims landed at Plymouth, we were here. Before the pen of Jefferson etched the majestic words of the Declaration of Independence across the pages of history, we were here. For more than two centuries our forebears labored in this country without wages; they made cotton king; they built the homes of their masters while suffering gross injustice and shameful humiliation—and yet out of a bottomless vitality they continued to thrive and develop. If the inexpressible cruelties of slavery could not stop us, the opposition we now face will surely fail. We will win our freedom because the sacred heritage of our nation and the eternal will of God are embodied in our echoing demands. Before closing I feel impelled to mention one other point in your statement that has troubled me profoundly. You warmly commended the Birmingham police force for keeping "order" and "preventing violence." I doubt that you would have so warmly commended the police force if you had seen its dogs sinking their teeth into unarmed, nonviolent Negroes. I doubt that you would so quickly commend the policemen if you were to observe their ugly and inhumane treatment of Negroes here in the city jail; if you were to watch them push and curse old Negro women and young Negro girls; if you were to see them slap and kick old Negro men and young boys; if you were to observe them, as they did on two occasions, refuse to give us food because we wanted to sing our grace together. I cannot join you in your praise of the Birmingham police department.

It is true that the police have exercised a degree of discipline in handling the demonstrators. In this sense they have conducted themselves rather "nonviolently" in public. But for what purpose? To preserve the evil system of segregation. Over the past few years I have consistently preached that nonviolence demands that the means we use must be as pure as the ends we seek. I have tried to make clear that it is wrong to use immoral means to attain moral ends. But now I must affirm that it is just as wrong, or

perhaps even more so, to use moral means to preserve immoral ends. Perhaps Mr. Connor and his policemen have been rather nonviolent in public, as was Chief Pritchett in Albany, Georgia, but they have used the moral means of nonviolence to maintain the immoral end of racial injustice. As T. S. Eliot has said: "The last temptation is the greatest treason: To do the right deed for the wrong reason."

I wish you had commended the Negro sit inners and demonstrators of Birmingham for their sublime courage, their willingness to suffer and their amazing discipline in the midst of great provocation. One day the South will recognize its real heroes. They will be the James Merediths, with the noble sense of purpose that enables them to face jeering and hostile mobs, and with the agonizing loneliness that characterizes the life of the pioneer. They will be old, oppressed, battered Negro women, symbolized in a seventy-two year old woman in Montgomery, Alabama, who rose up with a sense of dignity and with her people decided not to ride segregated buses, and who responded with ungrammatical profundity to one who inquired about her weariness: "My feet is tired, but my soul is at rest." They will be the young high school and college students, the young ministers of the gospel and a host of their elders, courageously and nonviolently sitting in at lunch counters and willingly going to jail for conscience' sake. One day the South will know that when these disinherited children of God sat down at lunch counters, they were in reality standing up for what is best in the American dream and for the most sacred values in our Judeo-Christian heritage, thereby bringing our nation back to those great wells of democracy which were dug deep by the founding fathers in their formulation of the Constitution and the Declaration of Independence.

Never before have I written so long a letter. I'm afraid it is much too long to take your precious time. I can assure you that it would have been much shorter if I had been writing from a comfortable desk, but what else can one do when he is alone in a narrow jail cell, other than write long letters, think long thoughts and pray long prayers?

If I have said anything in this letter that overstates the truth and indicates an unreasonable impatience, I beg you to forgive me. If I have said anything that understates the truth and indicates my having a patience that allows me to settle for anything less than brotherhood, I beg God to forgive me.

I hope this letter finds you strong in the faith. I also hope that circumstances will soon make it possible for me to meet each of you, not as an integrationist or a civil-rights leader but as a fellow clergyman and a Christian brother. Let us all hope that the dark clouds of racial prejudice will soon pass away and the deep fog of misunderstanding will be lifted from our fear drenched communities, and in some not too distant tomorrow the radiant stars of love and brotherhood will shine over our great nation with all their scintillating beauty.

Yours for the cause of Peace and Brotherhood,

MARTIN LUTHER KING, Jr.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Thank you, Senator ROSEN.

Thank you to my colleagues who joined us today to read these powerful words: Senators WARNOCK, TILLIS, CASEY, CAPITO, BOOZMAN, and ROSEN.

This is a diverse group on the floor today whose States reflect the vibrant

and wonderful diversity of our great Nation, from the Deep South to the Mountain West, to the Industrial Midwest. We represent different places. We may disagree on many things, but we love this country. We know we can do better for the people who make it work.

Dr. King and the civil rights leaders of his generation did more than just about anyone to push this country to live up to our founding ideals and to make the dream of America real for everyone. Protesting, working for change, organizing, demanding our country do better—those are some of the most patriotic things all of us can do. That is Dr. King's charge in this letter.

My favorite single line certainly in this letter and maybe in all of Dr. King's preachings and teachings and writings: "Progress never rolls in on [the] wheels of inevitability."

"Progress never rolls in on [the] wheels of inevitability." It rolls in because we make it so. That is our charge.

Think about that campaign Dr. King was waging when he was martyred in Memphis. Think about who he was talking to—a union, Sanitation Workers Local 1613, AFSCME. Think of the circumstances. This was a very segregated Memphis. He was in a segregated, White neighborhood. Even the sanitation trucks where these workers were working were segregated. The cab of the truck was two White workers; the back of the truck was doing the actual lifting and picking up garbage—two Black workers.

In February, before Dr. King first visited, the garbage truck—there was a torrential downpour in this White, segregated neighborhood. There was nowhere for these Black sanitation workers to go. They crawled in the back of the truck. It malfunctioned and crushed these two workers. That is why Dr. King was in Memphis the first time and the second time.

As he wove together worker rights and civil rights and labor rights, he told these workers:

What does it profit a man to be able to eat at an integrated lunch counter if he doesn't earn enough money to buy a hamburger and a cup of coffee?

Those workers were vital to their community. They worked hard to provide for their families. They were denied fair pay, denied political rights, denied basic safety on the job.

Now, the Presiding Officer today is Senator CORTEZ MASTO from Nevada, who has joined in so many efforts on the Senate floor to fight for workers, to fight for the dignity of work, to fight for safety and civil rights and worker rights. It is not a coincidence that the workers who are so often the most exploited are low-income workers, especially Black workers.

Until all workers have the dignity they have earned, Dr. King's work will remain unfinished. It means paying all workers a living wage. It means giving

them power over their schedules. It means providing good benefits and safety on the job. It means letting them, if they so choose, organize a union. It is about the dignity of work. All workers get a fair share of the wealth they create. When we empower workers, we bring us closer to the society Dr. King envisioned where all labor has dignity.

The PRESIDING OFFICER (Ms. CORTEZ MASTO). The Senator from Ohio.

THE CALENDAR

Mr. BROWN. Madam President, I ask unanimous consent that the Senate Committee on the Judiciary be discharged from further consideration of S. Res. 152 and S. Res. 185 and that the Senate now proceed to the en bloc consideration of the following Senate resolutions: S. Res. 152, S. Res. 185, S. Res. 192, S. Res. 193, and S. Res. 194.

There being no objection, the committee was discharged of the relevant resolutions, and the Senate proceeded to consider the resolutions en bloc.

Mr. BROWN. I know of no further debate on the resolutions en bloc.

The PRESIDING OFFICER. If there is no further debate, the question is on agreeing to the resolutions S. Res. 152, designating April 2023 as "National Native Plant Month"; S. Res. 185, designating April 2023 as "Financial Literacy Month"; S. Res. 192, recognizing April 30, 2023, as "El Dia de los Ninos—Celebrating Young Americans"; S. Res. 193, designating April 2023 as "Second Chance Month"; and S. Res. 194, designating May 5, 2023, as the "National Day of Awareness for Missing and Murdered Native Women and Girls" en bloc?

The resolutions (S. Res. 152, S. Res. 185, S. Res. 192, S. Res. 193, and S. Res. 194) were agreed to en bloc.

Mr. BROWN. Madam President, I ask unanimous consent that the preambles be agreed to and that the motions to reconsider be considered made and laid upon the table, all en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The preambles were agreed to.

(The resolution (S. Res. 152), with its preamble, is printed in the RECORD of March 30, 2023, under "Submitted Resolutions.")

(The resolution (S. Res. 185), with its preamble, is printed in the RECORD of April 27, 2023, under "Submitted Resolutions.")

(The resolutions (S. Res. 192, S. Res. 193, and S. Res. 194), with their preambles, are printed in today's RECORD under "Submitted Resolutions.")

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Madam President, I will speak briefly. I know we are expecting a vote at 5:30. I will not speak nearly that long, but I know we are about to vote on the Congressional Review Act on an issue that I happen to disagree with the President on.

My whole career has been standing up for workers. My whole career has

been standing up for, sometimes, the Presidents—the Presidents of both parties.

I think, if you look at the history of trade in this country and what we have done, we have seen, frankly, that this body, that down the hall in the House of Representatives, and that the White House have historically not stood up for workers.

I grew up in Mansfield, OH, in a small, industrial city of about 50,000 people. It was a very industrial city, less so now. I went to Johnny Appleseed Junior High School, and I remember walking the halls with the sons and daughters of machinists who worked at Tappan Stove and rubberworkers who worked for Mansfield Tire and steelworkers at Empire in Detroit. "Empire-Reeves," I believe, was the company's name then. I remember the autoworkers who worked at General Motors, a number of electrical workers at Westinghouse, and also the sons and daughters of people in the trades, who were electricians and carpenters, insulators and pipefitters, plumbers and operating engineers and laborers—people highly skilled who built America.

Companies and corporations—particularly in my part of the country but also in Nevada and everywhere—began to shut down plants in the industrial Midwest. They moved those plants to low-wage areas—Alabama, Mississippi, Louisiana, Georgia, North and South Carolina especially. Because those wages weren't quite low enough to satisfy the greed—I think there is no other word other than the "greed" of corporate America—then those same companies began to lobby Congress.

One of my first votes as a Member of Congress many years ago was in opposition to the North American Free Trade Agreement. Those of us who opposed NAFTA predicted with almost certainty what was almost certainly and inevitably going to happen. Once you pass a trade agreement giving these companies the opportunity to go to Mexico and then to China with no tariffs and to go for very low wages to exploit workers in those countries, which is what they did, you begin to see plants shut down.

We know what happened. We know that far too many of our colleagues in the House and Senate were willing to pass these free-trade agreements, like NAFTA. We also know that, down the hall, the House of Representatives did the same thing; the Senate did it; and, frankly, we had Presidents of both parties who sold out American workers. The lobbyists were here, pushing for NAFTA and pushing later for the PNTR with China, weakening the rules there so that these companies were up and gone. They left. They left Ohio. They left Indiana. They left Illinois. They left so much of the industrial Midwest because this Congress and the Presidents of both parties, from Trump all the way back to Clinton—I would include Obama and both Bushes and